

**Political Party Machines
of the 1920s and 1930s:
Tom Pendergast and The Kansas
City Democratic Machine.**

BY

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Abstract

This thesis is a study of American local government in the 1920s and 1930s and the role played by political party machines. It reviews the growth of overtly corrupt machines after the end of the Civil War, the struggle by the Progressives to reform city halls throughout America at the turn of the twentieth century and the rise of second phase machines at the end of the First World War. It analyses the core elements of machines, especially centralization of power, manipulation of incentives, leadership and “bossism”, and use of patronage. Throughout it emphasises that first and foremost, machines were small monopoly businesses whose vast profits, derived from improper and corrupt use of government levers, were allocated among a small group of senior players.

Using the Kansas City Democratic machine of the infamous Tom Pendergast as a case study, it examines challenges to machines and the failure of the local press to expose Pendergast’s wrongdoing. It analyses elements of machine corruption, first in the conduct of elections where numerous fraudulent tactics kept machines in power and, second, in the way machines corruptly manipulated local government, often involving organized crime. Finally, the thesis examines the breach of ethics of machine politics, measuring the breaches against the pragmatism of bosses.

Numerous larger-than-life characters appear in the thesis from bosses such as Tweed of Tammany Hall infamy, Alonzo “Nuckie” Johnson, Frank Hague and Tom Pendergast, the gangster John Lazia, as well as men who did business with or fought Pendergast, such as future president Harry S. Truman, Missouri U.S. Attorney Maurice Milligan and even Franklin D. Roosevelt.

Introduction.

From the turn of the twentieth century for almost forty years, the Pendergast brothers dominated Kansas City politics. In 1880, elder brother Jim became a tavern keeper in the commercial, entertainment and industrial West Bottoms district of Kansas City, an area similar in nature to the Bowery in New York. He was elected as a First Ward Democratic committeeman in 1887. Two years later, younger brother Tom Pendergast arrived from St. Joseph, Missouri. Tom worked at various jobs, one of which was as a bouncer in his brother's tavern. In 1894, Jim secured an appointment for Tom as a deputy constable in a First Ward city court. Soon after, Jim moved Tom into grassroots political work, first as a ward heeler and then precinct captain, as Tom served his apprenticeship in local politics, Kansas City style.¹ Tom's first elected political job was as superintendent of streets, followed by a two year stint as county marshal and later, again, as street superintendent.

By 1900, Jim Pendergast had become one of the two acknowledged leaders of the Kansas City Democrats. The other, Joe Shannon, would be a thorn in the side of the Pendergast faction until 1916, when Tom won overall control of the party at local level. In 1910, a year before his death, Jim retired from the City Council and turned his seat over to Tom, who remained an alderman until 1925, by which time he was the undisputed, if unofficial, political leader of Kansas City, a position he held virtually unchallenged until 1939. During this period, Tom Pendergast's grasp on Kansas City government was absolute. Indeed, Pendergast's biographers, Lawrence Larsen and Nancy Hulston, have asserted that: "He reigned as a supreme ruler with power flowing from the top down...In actions as well as in fact, Pendergast was...a classic

¹ For descriptions of the duties of ward heelers, see Chapter 2, page 67 and Chapter 3, page 88.

self-appointed boss.”² His power within the state became no less great. Congressional candidates for the Missouri legislature were voted by the state at large, not by district. As William Reddig, another Pendergast biographer, observed: “Every Democratic candidate who hoped to be nominated had to have the big Jackson County majority and the Pendergast’s endorsement.”³

Pendergast’s rise to this position of power requires explanation. He had little formal education, no inherited position of wealth and influence and no driving ideological passion. Rather, he was a self-made man, whose grasp of political manipulation and the operation of city government allowed him to establish an iron grip on Kansas City. He learned his political trade from his elder brother, who considered that politics was war in the rough and tumble of elections where forward planning was far more important than political ideology. Younger brother Tom was less combative and more creative than Jim, realising that cutting deals with prospective opponents, and thereby stacking odds in his favour, was a preferable course.

From 1916, when Pendergast won overall control of the Kansas City Democrats, he broadened that power by extending his machine into all city wards, even those controlled by Republicans.⁴ As well as providing welfare to the poor, the Pendergast machine provided services to the middle classes, including the promotion of political clubs, social clubs and even bowling leagues. Pendergast was not an old-time boss of pre-World War I years in the strict sense because “his power came from

² Lawrence H. Larsen and Nancy J. Hulston. *Pendergast*. (Columbia, Missouri. 1997. University of Missouri Press.) p.182.

³ William M. Reddig. *Tom’s Town. Kansas City and the Pendergast Legend*. (Columbia. 1986. University of Missouri Press.) p. 202.

⁴ For more on the power struggle between Pendergast and rival Joe Shannon, see Chapter 4, pages 116 and 117.

serving an extremely broad-based and complex constituency.”⁵ His system of neighbourhood patronage, whereby both existing and new residents received benefits in the form of facilities, infrastructure, employment opportunities and policing in exchange for the electoral support that was necessary to keep him in power, walked a fine line between efficient provision of services, political opportunism, and outright protectionism. At times, Pendergast put more than his toe over the line of legality, resorting to clearly corrupt electoral practices to protect his control on the city. For example, as early as 1912, in an exercise that would now be termed gerrymandering, Pendergast arranged to have Kansas City ward lines re-drawn to strengthen his party’s political position. “The ward boundaries ensured control of the membership in both lower and upper houses of the council.”⁶

Through election corruption, patronage, protecting prostitution, liquor (until Prohibition) and gambling interests and by ‘encouraging’ city contractors to accept him as a partner in their businesses, Pendergast’s tentacles touched all areas of Kansas City business, legitimate or otherwise. In 1926, Pendergast reached his position of ultimate power through masterly strokes. First he accepted a new City Charter being forced upon his machine by his political opponents, turning the Charter to his advantage by ensuring a majority of Pendergast nominees were elected to the Council. Second, he supported Home Rule, as a result of which the Kansas City Police Department came under control of the City Council.

Alongside manipulation of the electoral system, Pendergast’s organization gained significant strength by performing the activities of the traditional ward boss, including the protection of illegal activities and the corrupt award of city government

⁵ L. W. Dorsett. *The Pendergast Machine*. (Lincoln, Nebraska. 1980. University of Nebraska Press.) p.102. Also, George Benson writes that pre-World War I machines performed some social welfare tasks, often ignored by Progressives, but generally the welfare munificence of the Tweed Ring was very small scale in comparison with its much larger corrupt activities.

⁶ Larsen and Hulston, op cit, p.46.

contracts to favoured businesses. Numerous examples of Pendergast's corruption are provided throughout this thesis. In controlling the results of elections, the Kansas City machine tactics were renowned throughout America:

“March 27, 1934 was a local election day in ... Kansas City. An estimated 50,000 to 100,000 fake registrations were on the books; all these meant to vote for Tom's candidates. Yet, taking no chances, the Pendergast machine went all out with its roughest manners.”⁷

Two years later, following the infamous 1936 local election which resulted in 270 Pendergast machine operatives being prosecuted for election fraud and corruption, former local political rival and then U. S. Congressman Joe Shannon alleged: “The election was so corrupt, it was a disgrace to American civilization and the Democratic Party cannot exist with this sort of outrage.”⁸

In business, Pendergast was no less ruthless. Before Prohibition, he had acted as the main supplier of liquor to Kansas City saloons:

“With the end of Prohibition, he restarted T. J. Pendergast Wholesale Liquor Company. Since the machine controlled the issuing of liquor licenses, the firm soon had a monopoly... There was no choice except to accept the arrangement and the company cornered business to become one of the largest liquor wholesalers in USA.”⁹

Despite these clear examples of corruption, there were those who defended Pendergast's rule as benevolent and in the interests of the city. His nephew Jim, who took over the day to day control of the machine in 1936 following Pendergast's illness, said:

“We remember him for his kindness and charity, his many gifts of food, clothing, coal and money to the needy poor. I feel with thousands of others that our town made substantial gains under Tom Pendergast.”¹⁰

Harry Truman, an erstwhile Democratic machine member and hardly impartial, observed: “If he had died there that summer [after surgery in New York City in 1936],

⁷ Alfred Steinberg. *The Bosses*. (New York. 1972. Macmillan.) p.307.

⁸ Reddig, op cit, p. 283.

⁹ Larsen and Hulston, op cit, p.85.

¹⁰ Larsen and Hulston, op cit, p.178.

he would have been remembered as the greatest boss this country ever had.”¹¹

According to William Reddig, arguably a more objective observer:

“Pendergast was all business, dynamic, plain spoken, impatient...He got the blame, responsibility or credit for everything that happened [in the Kansas City Council]...Without his skill as a coordinator, he could never have established himself as a true machine boss.”¹²

Lyle Dorsett, another biographer, opines:

“Pendergast met the challenges of his job and held power by providing services for the diverse interests in his community. He always cared for the underprivileged but he did much more. Middle-class citizens in residential districts were served, as were individuals in the professions and the business community.”¹³

The African-American community amounted to some ten per cent of the Kansas City population during the Pendergast era. Interestingly, in a period of entrenched racial inequality, Pendergast shied away from using racial politics as a strategy for increasing or maintaining his power. Rather, as city boss, Pendergast retained the reputation for fair treatment of African-Americans, although this was arguably less the result of an enlightened personal belief in racial equality than a conviction that racial strife would be ‘bad for business’, emphasized by Larsen and Hulston: “By no stretch of imagination was he a social reformer.”¹⁴ Nonetheless he maintained the reputation he had gained as a city marshal, “standing for the Negro as well as the white man. There was no cruel treatment of prisoners, no jail scandals.”¹⁵

Unsurprisingly, there are many differing views of Pendergast’s power. Jonathan Daniels dismisses Pendergast disparagingly as “no more a figure in American politics than in American business. His position as a boss was that of broker

¹¹ Jonathan Daniels. *The Man of Independence*. (London. Victor Gollancz. 1951.) p.22.

¹² Reddig, op cit, p. 152.

¹³ L. W. Dorsett. *The Pendergast Machine*. (Lincoln, Nebraska. 1980. University of Nebraska Press.) p.xii.

¹⁴ Larsen and Hulston, op cit, p.105.

¹⁵ Dorsett, op cit, p.44.

for corporations as well as saloonkeepers.”¹⁶ Harry Truman, not a disinterested observer, describes him as “having as many friends in key positions as possible but if a man didn’t do the job he was supposed to, fire him and get someone who would.”¹⁷ What cannot be doubted is that Pendergast touched and influenced the lives of tens of thousands of Kansas Citizens. Despite this unquestioned influence, there remains remarkably little historical analysis of Pendergast and his machine.

There is a body of secondary source material on political party machines. However, most of it was written before 1980. Unsurprisingly, there is a measure of disagreement amongst academics, for example the differing, sometimes overlapping, academic definitions and theoretical models of political party machines, as well as conflicting interpretations amongst academics as to what constitutes machine politics. According to Raymond Wolfinger, “machine politics” is the manipulation of certain incentives to ensure partisan political participation and a ‘political machine’ is an organization that practised machine politics, attracting and directing its members primarily by means of incentives.¹⁸ The partisan point is well taken but Wolfinger fails to establish the deeper rationale for partisanship as a means to the end, namely political and business power. Bearing in mind that voters were partisan, it is not surprising to find that in less affluent cities, the majority of machines were ‘Democrat’, the traditional party of the working class. Also, there is a substantial difference between political ideology, something of little interest to machine politicians, and party loyalty, which was crucial to ensure the retention of power.

¹⁶ Jonathan Daniels. *The Man of Independence*. (London. 1951. Victor Gollancz.) p.148.

¹⁷ Robert H Ferrell. *Truman and Pendergast*. (Columbia and London. 1999. University of Missouri Press.) p.98.

¹⁸ Raymond Wolfinger. “Why Political Machines Have Not Withered Away and Other Revisionist Thoughts.” *The Journal of Politics*, Vol. 34, No. 2. (May, 1972), 365-398, p. 374.

James Scott emphasises that the term “machine” connotes the reliable and repetitive control it exercises.¹⁹ “It is”, he writes, “a non-ideological organization, interested less in political principle than in securing and holding office for its leaders and distributing income to those who run for it and work for it”. Thus, for Scott, a machine’s disinterest in political labels is established. According to Scott, scholars generally agree that a political machine is a form of political group that utilizes a particular style of mobilization, one based upon favouritism and the use of material inducements and threats, to become a widespread party organization functioning at grass-roots levels.²⁰

Edward Banfield and James Wilson define a political party machine as “a party organization that depends crucially upon inducements that are both specific and material.”²¹ The specific inducement is one that can be offered to one person but withheld from another. The material inducement is money or a physical thing, such as employment or property, to which value attaches. Banfield and Wilson distinguish the political party machine from other political organizations by the emphasis placed by the former on inducements, or the appeal to human frailty and greed through the possibility of power or advancement.

As an alternative view, Harold Gosnell suggests the term “political machine” conveys an unfavourable impression.²² He expresses that any political faction holding power for a considerable length of time is likely to be termed a machine, in a derogatory sense, by opposing forces. Michael Johnston focuses upon the potentially

¹⁹ James C. Scott. “Corruption, Machine Politics, and Political Change.” *The American Political Science Review*. Vol. 63, No. 4. (Dec., 1969).1142-1158, p. 1143.

²⁰ In this context, “grass-roots” refers to a political movement sensitive to the needs of the local community.

²¹ Edward C. Banfield and James Q. Wilson. *City Politics*. (Cambridge, Massachusetts. 1967. Harvard University Press.) p. 115

²² Harold F. Gosnell. “The Political Party versus the Political Machine.” *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), 21-28, p. 21.

corrupt nature of political party machines when he defines them as “tightly organized parties whose members and followers are motivated by divisible material incentives, for example money, gifts and favours, where votes, money and control over public authority are the basic elements.”²³

Whatever the definition of a machine may be, there is broad agreement that the historical weakness in U.S. municipal government was in its fragmentation. All academics cited above agree that the ability to centralize power was a highly important core component of machine politics. Centralized power was essential for a machine to thrive. Robert Merton observed:

“Because of the fragmentation of American society and the diffusion of power in the late nineteenth century, political organizations served ‘latent functions’, specifically the provision of welfare services for the poor, addressing the problems of the business community, serving as a vehicle for social mobility and defining limits for underworld activity.”²⁴

Without the advent of the political party machine, each of these activities would have been addressed by different areas of the community, namely charitable organizations, the city council and the police department. The machine took advantage of such lack of coordination by taking control of local levers of political power, defying the stringencies of separation of powers contained in the constitutions of both the federal and state governments. Historically, cities and towns had operated through separate and distinct legislatures, executives and judiciaries, using numerous committees to regulate and oversee municipal services, including schools, police, fire services and the like. It was the very fragmentation of city and town power that was exploited by political party machines, whose leaders regarded the manifold and diffuse elements of local power as a weakness in the system and capable of being exploited.

²³ Michael Johnston. “Patrons and Clients, Jobs and Machines: A Case Study of the Uses of Patronage.” *The American Political Science Review*. Vol. 73, No. 2. (Jun., 1979), 385-398, p. 385.

²⁴ David R. Colburn and George E. Pozzeta. “Bosses and Machines: Changing Interpretations in American History.” *The History Teacher*. Vol. 9, No. 3. (May, 1976), 445-463, p.450.

As America has a top-down political system, there is huge academic interest in Washington D.C. politics. State politics are secondary and city politics are tertiary. This may explain the apparent lack of academic interest since the 1980s in political party machines. Possibly, the notorious reputation of machine politics is an embarrassment, although this is hardly a good reason for lack of academic interest. Arguably, the overall shameful and bad practices of machine politics during the 1920s and 1930s have made the subject taboo where the positives of second phase machine rule, such as welfare support, are overlooked because of a machine's criminal connections and corruption. Ralph Schulz, a retired journalist and former chief executive officer of McGraw Hill, characterises machine politics of the inter-World War era simply as "a charter for crooks and cheats."²⁵ However, as historians are usually happy to uncover unsavoury secrets, this explanation is doubtful at best.

More likely, the issue of machine politics no longer features on the national agenda in the way it did during the post-Tweed 1870s, or the Progressive era, or in the 1930s. Perhaps, historians shy away from the topic because it would be difficult to pin down facts, especially when primary sources are so limited. This thesis demonstrates that political party machines of the 1920s and 1930s are worthy of scholarly attention because of the important social function they filled. In a country whose population by 1930 exceeded 122 million, many were unable to fend for themselves in times of economic depression and unemployment and had no federal and few state government safety nets on which they could rely. Salvation was often limited to the poor house or charity. It was the second phase political party machines that acted as the welfare

²⁵ Interview with Ralph Schulz in Tampa, Florida, January, 2009.

provider. Their leaders should take some credit but not as Robin Hood style characters, as argued by William Munro or James Scott.

Bosses like Pendergast and Hague, like first phase machine bosses, understood mass politics and its strength at the polling station. In this context, mass politics means the ability to mobilize large numbers of people to vote on election-day, whether legally or illegally. For second phase bosses, the provision of shelter, food, clothing and medical help in meaningful amounts to the poor over a two-year period was a worthwhile price to pay in exchange for power and access to the enormous personal wealth that governing a city could provide. Surely, it is time for the subject of political party machines of the 1920s and 1930s to be revisited.

This thesis offers an in-depth study of the Pendergast machine and its impact on Kansas City. Its primary thesis is that Pendergast understood city politics as a business opportunity, rather than as a political – in the ideological sense of the word – mission. Federal and state political structures obviously have had and continue to have an interest, (arguably an ever-growing interest), in the provision of services, infrastructure, welfare and law. However, at these levels, political systems operate within a broader ideological context. Debate over law enforcement, for example, takes place within a context of ideological differences over issues such as the ethics and efficacy of the death penalty. At city level, administrations have little power to effect sweeping ideological change, but they have greater contact with the pressing, day-to-day provision of small but essential services.

City governments generally regulate such matters as local environmental health, refuse collection, parks and recreation, policing, traffic and street regulation. Put plainly, local government is bread and butter politics. The mandate of local government is comparatively straightforward. Those who are elected either decide

upon or are committed to providing services to local residents and to raise taxes, issue bonds and borrow funds to pay for such services and allied costs. Whilst state and federal governments can, and arguably should, occupy themselves with discussions of the ideological implications of, for example, the expansion of the welfare state and its impact on American traditional conceptions of the relationship of the individual to government, city government has the responsibility to make sure that the garbage is collected, there are books in classrooms, and that there are city facilities necessary to allow its inhabitants to go about the 'business of America' in the most profitable manner. True, there is more to local politics, such as city planning and the development of urban infrastructure. However, as this thesis will show, when Kansas City adopted a \$40 million bond to redevelop its civic buildings, what Pendergast saw was much more than a personal legacy. It was dollar bill signs for his machine and his many businesses that would benefit greatly from providing building services to the city.

Whilst President Calvin Coolidge may not have actually said the widely-attributed words, "the business of America is business"²⁶, the sentiment is one that has gained popular currency in American life. It is likely that Coolidge aimed his words at those who built America's legitimate businesses, not the bosses of political party machines of the 1920s, whose influence by then loomed large over local government in most of the cities and large towns of America.

In this thesis, the Pendergast machine is analysed as a monopoly business construct. On close inspection, American municipal government during the period from the 1870s to the 1930s was an interchanging and continuous power struggle between conservatives and reformers, where business was as important a

²⁶ According to Cyndy Bittinger, Coolidge's January, 1925, speech to the American Society of Newspaper Editors in Washington, D.C. contained the words, "the chief business of the American people is business."

consideration as politics, if not more so. In simplistic terms, a business is a commercial activity as a means to the ends of livelihood or profit, or an entity which engages in such activities. This thesis asserts that in the 1920s and 1930s, for most of the two-year local election cycle, business, not ideological politics, was the most important element of a successful political party machine. Indeed, the entity could equally have been termed 'a business and political party machine', so dominant was the business element in the conduct of its affairs.

A successful political party machine business was not a straightforward entity. Its complexity arose partly in the monopoly control of the estates of local government required by the machine to make it effective for its stakeholders. With such monopoly control of a city or town, the machine would be able to dictate the manner in which town business was conducted. Strands of a machine business stretched into all aspects, areas and classes of the town or city which it ruled, in a form reminiscent of a spider's web.

As well as the principal assertion that machines were first and foremost monopoly businesses, there are two subsidiary assertions. One is that political ideology was secondary to machine business, as politics was an important but secondary element in machine make up. For eight months in a two year election cycle, politics took centre stage but for the rest of the period, business was paramount. The other assertion offers a business rationale as to why the extensive Kansas City press did not adopt muckraker traditions, exposing the Pendergast machine's many corrupt practices, instead limiting its attack, by and large, to charges of electoral corruption and ignoring most other excesses and corrupt behaviour of the machine.

Pendergast's machine business, as well as the private businesses owned and controlled by him, are easily distinguishable from the big business model posited by

Alfred Chandler in his work, *"The Visible Hand"*. Chandler's premise is that modern American business enterprise has two characteristics: it contains many distinct operating units and it is managed by a hierarchy of salaried executives.²⁷ He states that each unit within a multi-unit enterprise is self-contained and, theoretically, can operate independently. Modern business employs a hierarchy of top and middle salaried managers to monitor and coordinate the work of units under its control. In contrast, the traditional American business firm was a single-unit business enterprise where an individual or a small number of people operated the business out of a single office. Chandler describes businesses where all elements of production, distribution, marketing and sales are controlled "in house". Such businesses are not necessarily monopolies. In the 1920s and 1930s, car manufacturers like General Motors and Ford, chemical giants like Du Pont and soft drink businesses like Coca Cola were big businesses, operating coast to coast. Each had serious competition. In contrast, political party machines were single entities and local. For example, there was no business connection between the Pendergast machine and, say, Bill Thompson's Chicago machine of the late 1920s.

Most Chandler propositions do not support the machine business model. The move to professional dominance of management is hardly a hallmark of the Pendergast machine. Whilst many Kansas City service managers apparently did a good job, their business lives could be precarious. In 1926, city manager Henry McElroy was appointed as Kansas City manager. For thirteen years until 1939, McElroy, a Democratic machine member, owed his elevated and influential position to Pendergast. He repaid the favour time and again. Shortly after his appointment, McElroy dismissed health director Caveness, supposedly over a disagreement about

²⁷ Alfred D. Chandler. *The Visible Hand: The Managerial Revolution in American Business*. (Cambridge, MA. 1977. Harvard University Press.) pp. 1-3.

the colour of paint to be used in nurses' new quarters. Caveness had also, apparently, neglected to follow McElroy's suggestions, probably at the urging of Pendergast, in filling certain hospital jobs and placing contracts.²⁸

There is no evidence of the stance taken by Kansas City middle managers during the Pendergast era. It can be safely assumed that whilst Pendergast was on record telling his employees that all he wanted was for them to do their jobs well, they would also have feared losing their jobs, either through owner's caprice or the looming economic depression, especially after October, 1929. As for top management, McElroy only avoided prosecution in 1939 for fraud and embezzlement by dying before the hearing commenced. Chief of Police Eppert was disgraced and dismissed after Pendergast's fall. As will be seen, other senior managers had their careers ruined because of their admitted corruption. All these people had acted unprofessionally and their illegality and ethical malfeasance must be questioned.

Ultimately, what distinguishes Chandler's views of business practice from that of machines is longevity. Chandler's work cites numerous corporations which were household names in the 1920s and still remain in business, albeit in several cases as subsidiaries of larger corporations. Political party machines run on the lines of those of Pendergast and Hague were stable businesses only whilst "the boss" remained at the helm. One of the reasons for the failure of the second phase, inter-World War machines is that on the boss's departure, there was no mechanism for acceptable managerial succession. Instead, Darwin's 'survival of the fittest' maxim applied.

The machine approach to running a city was that the city was a self-contained business from which the organization should benefit. The existence of a tax base and an infrastructure was seen as an opportunity to be exploited to the financial advantage

²⁸ Reddig, *op cit*, p. 126.

of both the organization and its senior leaders. To put such business opportunism crudely, by running a city government machine bosses make sure they received the city contracts they wanted on advantageous terms. Civic pride and the efficient delivery of services were not necessarily damaged but mainline city business was open to abuse. The system necessitated corruption both at the ballot box and post-election in City Hall in order to ensure stability in power and the maximisation of profits for the machine.

There is no standard model describing the development and maintenance of a political party machine which covers all main aspects of its business element. Each machine needs to be considered on its own merits. Nevertheless, there is evidence to display patterns within machine businesses. Most machines placed themselves as an interface between the city and the public, requiring the latter to use the services of the machine as broker or partner to effect business. It is observable that by the 1920s, machine business fell into one of three broad headings, legitimate, questionable or illegitimate, depending on the nature of the services provided or deals transacted. Machine business was legitimate when providing welfare services to the poor, namely the crucial provision of jobs, housing, clothing, medical assistance and food. It was questionable when dealing with requests for licences and franchises needed from city government, charging a fee to the business applicant for doing so. Examples of such activity included securing franchises for railroad and bus companies and procuring bond issues on favourable terms for bankers, not to mention taking advantage of forthcoming city business as ‘insiders’.²⁹ It was illegitimate in its conduct of elections, or when using its monopoly position in actively helping or turning a blind

²⁹ Insider trading was neither illegal nor unlawful in Missouri or New Jersey in the 1920s and 1930s. In Chapter 4, evidence is cited concerning Boss Frank Hague of Jersey City, New Jersey who became a very wealthy man, abusing his position as mayor, in buying land which he knew was ripe for development and selling it at a huge profit.

eye to organized crime, especially in relation to the latter's gambling and prostitution activities within the city and ensuring no interference from the police authorities, or when contracting to supply goods and services to the city at vastly inflated prices.

There were distinguishing features between machines. Employment practices changed from one machine to the next. Those of Pendergast or Hague assumed responsibility, directly or indirectly, for thousands of people. The Georgia machine of Eugene Talmage was small scale, employing comparatively few people. However, machine success relied on the ability of its leader, "the Boss", to control and manipulate the strands of machine business. Holding elected office was not a *sine qua non*. Whilst bosses like Hague and Talmage held office during their time in power, Pendergast ceased to be an elected officer in 1925.

Much machine business was repetitive in nature. To ensure adequate income, the machine acted as broker for the business community, providing for a price an interface between the businessman and city hall when licences, permits and variances were needed. The machine would also tithe city employees in election year to support machine costs of the election. Corporations controlled by machine bosses would enter into favourable contracts with cities for the supply of goods and services. Other business would be ad hoc, depending on what was wanted, for example, by organized crime, although not all machines engaged in illegal activity. The Bird machine of Pennsylvania was reputed to be above corruption.³⁰

There seems to be a correlation between a boss's longevity in power and stability of the machine, bearing out one of Chandler's propositions concerning hierarchy. In Kansas City, Pendergast made his machine strong and stable but his failure to ensure his successor was as powerful was a major cause leading to the

³⁰ Benson, *op cit.* p. xiv.

machine's eventual failure. Hague's succession was another case in point and will be cited to support this argument.³¹ However, there were exceptions, for example the O'Connell family of Albany, New York, whose machine lasted for almost seventy years until 1977.

Machines had distinctive approaches to the public which they served. For example, the New York machine was influenced heavily by immigration.³² E. E. Cornwell argues that machines would probably not have been possible, and certainly would not have been so prominent a feature of the American political landscape, without the immigrant.³³ Although immigration dried up to a trickle in the 1920s, machine politics did not dwindle. Further, immigration was never an influence in certain cities such as Kansas City. Hence Cornwell's argument appears limited either to phase one machines or is in need of modification to account for cities where immigration was not an influence.

Machines practiced discrimination. The Boston machine of the Fitzgeralds and the Kennedys was almost exclusively Roman Catholic. Race played an important role, in particular in the South. Huey Long's strength in Louisiana and Gene Talmage's Georgia machine relied upon support from the poor, rural white population.³⁴ Local conditions in the cities and towns required local responses. Certainly, all successful Chicago bosses of the 1920s and 1930s were well aware of this.³⁵

Concentrating on the Jazz Age years of the 1920s and the Great Depression years of the 1930s, and adopting the Kansas City machine as a case study, this thesis

³¹ The point is analysed in detail in Chapter 4 where, for example, Chicago is cited as an example of a less stable machine-ruled city. The Democratic machine there had four bosses during the 1930s.

³² Oscar Handlin. *The Uprooted: The Epic Story of the Great Migrations that Made the American People*. (Boston. 1951. Little, Brown & Company.)

³³ E. E. Cornwell. "Bosses, Machines and Ethnic Politics." Harry Bailey, ed. *Ethnic Group Politics*. (Columbus, Ohio. 1969. Merrill.) p.191.

³⁴ William Ivy Hair. *The Kingfish and His Realm. The Life and Times of Huey P. Long*. (Baton Rouge. 1991. Louisiana State University Press.)

³⁵ Bill and Lori Granger. *Lords of the Last Machine. The Story of Politics in Chicago*. (New York. 1987. Random House.)

considers the effect of a political party machine upon the life of a city, citing throughout the many instances where Pendergast's influence guided and corrupted the affairs and fortunes of Kansas City. It will argue that partisan political divisions were less important to the public than the tangible benefits that the Pendergast machine delivered to the city. A review of the local press during the Pendergast years indicates no substantial and discernible ideological political differences between the major political parties in the policies of the Kansas City government. Pendergast acted as both a political and business broker, who ran his machine on non partisan lines, save at election times. In his capacity as boss, he ensured fulfilling the business interests of wealthy Republicans as well as the needs of the middle class businessmen and poor Democrats. The key was satisfying the 'self-interest' of sufficient numbers of people so that the business of the machine could proceed undisturbed, as far as possible. Separately and additionally, Pendergast's corporate businesses were in a preferred position when contracting with the city. His interests were abetted by having city manager McElroy, in his pocket.

In general, the beauty of the American political system rests upon the fact that the citizen-voter is not required to place trust in the politicians for whom he or she votes. Obviously, if a candidate can engender a feeling of trust within the electorate, so much the better at the polling booth but ultimately the separation of powers paradigm provides checks and balances on the three estates of government. In theory, each estate is able to prevent the other two estates from abusing power. Therefore, the inherent advantage of these mechanisms provides the voter with the political protection he or she needs. However, the system is not foolproof, especially at local government level; if one estate abuses power and the other two estates are unwilling or unable to stop such abuse, the citizen is left unprotected. In these circumstances, a

vigilant and independent press becomes an essential part of the political process to expose the above.

In 1920s and 1930s Kansas City, the local press did not adopt the ‘muckraking’ traditions dating back to the Progressive era, by exposing excesses, in particular the machine’s abuse of the doctrine of separation of powers. This thesis seeks to explain why the local press limited its criticisms to electoral corruption, whilst raising the possibility that the proprietors of *The Kansas City Star*, the title with predominant newspaper power in Kansas City, were conflicted because there was a tenuous business link between them and the Pendergast machine. Arguably, local business and political entanglements overruled implied obligations of the fourth estate.

There are several choices open to an academic examination of political party machines and reactions by the press. A normative approach, analysing the position of machines on questions of its aberration of justice, rights, and desirable government is inappropriate to this thesis because it would entail a detailed examination of machine practices and policies covering a century. Therefore, normative tests are limited in the main to Chapter 3. Institutional approaches are adopted throughout when concentrating on the formal operation of machine politics. However, there is a significant problem, endemic in the way that the Pendergast machine business appears to have been run. For example, it was not totally centralized. Some ward lieutenants like Cas Welch enjoyed autonomy. There are no financial records to establish the level of business receipts which were passed to Pendergast by Welch, nor the extent to which Pendergast subsidized Welch at election time. Further, Chapters XVII and XIX of the Hartmann Report spell out the unsophisticated manner in which machine funds

were managed.³⁶ The former chapter describes a system of inter-company loans to evade income tax; the latter describes another tax evasion scheme, where Pendergast used a city contractor nominee to disguise profits. Neither ploy would have survived even a superficial accountancy investigation. Pendergast's skills as a businessman did not extend to the ability to micro-supervise funds.

Substantially, the dissertation adopts a behavioural, empiric approach, as far as possible, analysing the importance of business and the position of ideological politics in a machine setting, as well as the stance of the local press. Factual evidence is crucial to a dissertation of this nature but it has to be accepted that the evidence adduced is not always conclusive. For example, Pendergast held interests in numerous corporations, whose records are available for inspection in the State Corporations Registry in Jefferson City, Missouri. Test searches of two of the Pendergast companies revealed no useful information and it is assumed that had other searches been conducted, there would have been a similar result. It follows that no forensic examination of company accounts could be made. In all probability, Pendergast kept two sets of books for each of his corporations but this cannot be proved. The 1939 suicide of his finance director Schneider is circumstantial evidence only.

There is little primary source eye witness evidence in this thesis, as most players and observers have died or are too old to make their accounts creditable. For example, historian William H. Taft, Professor Emeritus at the University of Missouri and author of *Show-Me Journalists: The First Two Hundred Years*, confessed that his recollections of the Pendergast era were too woolly to be worthy evidence. "All I can recall", he said, "was that in the state elections, Pendergast would wait for the St. Louis vote to come in and work out how many votes his people needed in Kansas

³⁶ "The Kansas City Investigation". The Morgenthau Papers: Confidential Reports about People. Box 388. *Franklin D. Roosevelt Library*. pp.120 and 134 et seq.

City.”³⁷ Such an observation, whilst colourful, has little evidential value, even in relation to a man with Pendergast’s tainted electoral reputation.

The thesis makes reference to primary source printed material, emanating substantially from archive evidence located in Western Historical Manuscripts at the University of Missouri, Columbia, as well as a review of five local newspapers. In this latter regard, Gail Hall notes that contemporaneous newspaper stories “offer a window on the times in which they were published.”³⁸ However, such stories must be read with caution. Before relying on an article, credibility, authenticity, bias and errors of omission and commission need to be considered. For example, a newspaper might quote incorrectly to increase circulation. It is impossible to test each story and editorial. Instead, reliance is placed partly on the contemporaneous accounts and criticisms in the other local newspapers, whose titles were rival publications, and partly from secondary evidence.

In view of the reliance placed in this thesis on contemporary newspaper stories, an overview of the local press is required. During the 1920s and 1930s, Kansas City was well served by a numerically strong press. Kansas Citians had access to ten or more newspapers on a daily or weekly basis. However, in terms of circulation, the vast majority of Kansas City readers bought *The Kansas City Star*. *The Star* held a privileged position in the city, enjoying a circulation which swamped that of all other local newspapers combined.

The reportage of five local newspapers has been reviewed. Four of them, *The Kansas City American*, *The Kansas City Call*, *The Independence Examiner* and *The Missouri Democrat* collectively accounted for less than ten per cent of weekly

³⁷ Interview with Professor William Taft at the University of Missouri on 23rd April, 2006.

³⁸ Gail Hall. “Yale-New Haven Teachers Institute Page.” *From Dusty to Digital Using Primary Sources*. www.yale.edu/ynhti/curriculum/units/1999/7/99.0.07.x.html (Accessed 14th April, 2006).

newspaper circulation. Moving from the smallest in sales to the largest in circulation terms, *The American* was a weekly newspaper for the black Democrat community. It rarely covered local, white politics and was uncritical of the Democratic machine and its boss, Tom Pendergast. *The Call* was another weekly newspaper for the black community which, too, made scant reference to politics. It had a moderate Republican bias. *The Examiner* was a mildly pro-Democratic, daily newspaper serving the town of Independence, the birthplace of Harry Truman and then some ten miles distant from Kansas City. *The Examiner* generally followed principles of fair and balanced reporting, although it was politically partisan. It had a heavy slant on the daily run of politics and was a strong advocate of clean elections. *The Democrat* was published twice a week and entirely partisan, both in its reporting and editorials. For this newspaper, Democrats could do no wrong and Republicans no right. *The Democrat* was overwhelmingly pro-Pendergast and was possibly financed and, indeed, may have been owned through nominees acting for him.

During the years immediately after the end of the First World War, *The Star* had declined in quality. According to journalist Oswald Villard, it was “hard to read and to believe that this daily once had a nation-wide reputation for force.”³⁹ However, by the 1920s, *The Star*, as a founding member of the American Society of Newspaper Editors, was regaining a national reputation for fair and balanced reporting. In 1923, its editor, William Allen, won a Pulitzer Prize for an editorial entitled: “To an American Friend”, which established his reputation as a champion of civil liberties.⁴⁰ The newspaper was pro-Republican but nowhere near as partisan as *The Democrat*. *The Star*, whose circulation usually exceeded 250,000 copies daily and accounted for

³⁹ Richard S. Kirkendall. *A History of Missouri. Volume V. 1919-1953*. (Columbia, Missouri. 1986. University of Missouri Press.) p.89

⁴⁰ Harry Haskell. *Boss-Busters and Sin Hounds. Kansas City and Its Star* (Missouri. 2007. University of Missouri Press.) p.213.

approximately 90% of total newspaper sales in the Kansas City area, was respected for its encouragement and support of clean elections. Therefore, it is interesting that such a newspaper would have apparently ignored many of the excesses of Kansas City's machine government and not campaigned effectively for their reform.

The St Louis Post-Despatch, whilst not a local Kansas City newspaper, took a keen interest in the happenings of its rival Missouri city. St Louis was Republican politically but during the 1930s, its machine could not muster sufficient votes in state elections to defeat the Democrats. Therefore, rivalry and politics make *The Post-Despatch* a useful corrective to readers of *The Star* and other Kansas City newspapers. "Fitzpatrick", *The Post-Despatch* cartoonist, was renowned for his depictions of Pendergast and the Kansas City machine. Examples of Fitzpatrick's work are contained in Chapters 4, 5 and 8.

Examples of secondary literature have already been cited in this Introduction. In addition, there are three principal biographies of Pendergast which are narratives and non-controversial, to the extent that the cited facts are consistent. The accounts by Dorsett and Reddig are of less value than Larsen and Hulston's recent work because the latter provides evidence of its assertions through substantial footnoting, whereas Dorsett and Reddig do not. Larsen and Hulston are both Kansas City residents and have been writing on Pendergast for many years. Their sources, reflecting broader concerns, are wider than those required in this thesis. Their greater resources allowed for access to the National Archives in Washington D.C., as well as the Truman Library. Their book was especially helpful in directing me to Rabbi Samuel Mayerberg's autobiography, Andrew Dunar's account of the Truman scandals and Harold Gosnell's work on machine politics. Unsurprisingly, all biographers concentrate most of their writing on Pendergast, the individual, hence there is little

information to be gleaned from them on the inner workings of the machine he controlled

Another useful area of exploration was amongst Harry Truman's many biographers, and the nature and extent of the influence Pendergast exercised over Truman's career. Interestingly, few biographers, including David McCullough, sought to engage deeply in the subject. The Truman White House years are undoubtedly and rightly of much greater interest to them and, possibly, they prefer to gloss over a less than savoury time in Truman's history. Truman's own writings were helpful, although even he treated Pendergast more kindly than Pendergast deserved. Perhaps Truman was concerned to exculpate his involvement with the boss.

The autobiographies by Mayerberg and Milligan were revealing in that they contain contemporary accounts of direct dealing with the Pendergast machine. However, both authors will have been prejudiced against Pendergast. Mayerberg chronicles the threats to his life by criminal elements, implying they were at Pendergast's behest. Milligan's brother was refused an endorsement by Pendergast in the former's run for state office.

The Kansas City Investigation mentioned above, by Treasury Special Agent Rudolph Hartmann, was buried for years in the Roosevelt Library, in an archive entitled "The Morgenthau Papers: Confidential Reports about People."⁴¹ Hartmann was in charge of the investigation, lasting from 1931 until 1941, into the Pendergast machine. Hartmann wrote The Kansas City Investigation in 1942. The Treasury claims that its investigation resulted in the elimination of the Pendergast machine, which is an overstatement. The machine survived through the 1940s, albeit in a less powerful form. Whilst the Investigation and subsequent successful prosecutions of

⁴¹ "The Kansas City Investigation". Op cit.

Pendergast and his lieutenants was undoubtedly important in reducing the power of Pendergast's machine, it was not the only factor, as will be argued in Chapter 10. Hartmann had the advantage of prime and contemporary sources. However, the tone of his report is, unsurprisingly, triumphal and self-promoting and his evidence is unsupported by schedules listing documentary proof. To this extent, there must be a suspicion that claims by Hartmann may be exaggerated. In addition, there is nothing in the report that sheds any light on the inner workings of the Kansas City machine, although it explains some of the corrupt tactics employed by Pendergast and his people.

The thesis is in three sections. The historical context of local government, leading to machine dominance post First World War, is the focus of Chapters 1 and 2. Chapter 1 details the history of American local government from colonial times to the rise of the city in the 1870s. Significantly, the influence of business in American local government is evident from its very early stages, as guilds and other business groups are given preference by authorities. Chapter 2 analyses how machines first arose in post-Civil War America. Boss Tweed of Tammany Hall was one of the first machine leaders to realise the value of mass politics and how by harnessing the votes of large numbers of poor voters, local government could be seized and turned to personal financial advantage by taking power and locking up the local legislature and judiciary under a strong executive. He was followed by many others as first-phase machine leaders. The Chapter details the hard fought, long lasting and extensive Progressive reforms to local government of the late nineteenth and early twentieth centuries, continuing the battle between liberal reformers and conservative machines, where flaws in the reforms were exposed. It also suggests how these very flaws helped Pendergast and bosses like him to re-take power in city halls in second-phase machine

rule of the 1920s and 1930s. For example, the political reform of holding primary elections to defeat party grandees' candidate selections was countered by efficient machines who mustered the smaller number of votes needed to win a primary, heralding the emergence of the machine "slate" of candidates.

The second section of the thesis, Chapters 3-7, examines the core elements and functions of machine politics, using illustrations mainly from the Pendergast machine. Chapter 3 examines certain core elements of machine rule, including centralization of power, indifference to political ideology and political policy, and manipulation of incentives. It also stresses the importance of regarding machines as business monopolies, setting out in detail the reasons why a successful machine needed to secure the monopoly as a *sine qua non* to its operations, whilst examining academic studies defining big business and contrasting business with governmental organizations. Omissions by academics are noted in the consideration of numerous similarities and contrasts between machines and business. Detailed reasons are put forward to distinguish the Chandler business model from that of the machine.

Chapter 4 assesses the phenomenon of 'bossism', analysing the functions of a boss both as a public political figure and private businessman. Using a micro-study of the life and career of Pendergast, the chapter emphasises the importance of business and political leadership to a machine, as well as the pragmatic nature of machine rule and the blurring of the boss's political and commercial interests. It poses the likelihood of a link between the longevity of a boss's rule and the stability of the machine under that rule.

Chapter 5 explains the crucial importance of patronage, namely the political power to allocate benefits, and the manner in which a boss spends his political capital, meaning the use he makes of his position as a boss to retain power in order to further

personal and machine business interests. It considers the legality of patronage and its abuse by machines. It emphasises that patronage is, effectively, a weapon in the boss's armoury, especially in the 1930s when jobs were at a premium. Patronage helped the boss in achieving loyalty both from machine personnel and the vast number of supporters helped by the machine, in turn a factor ensuring successful election results time and again. By retaining electoral supremacy, the boss ensured the uninterrupted continuation of business profitability. Patronage was also used to find employment for locals. The chapter sets out extraordinary employment statistics for Kansas City during the 1930s, providing excellent evidence of the beneficial side of the Pendergast machine.

Chapters 6 and 7 consider the nature of the local challenges that a machine might face and its options in dealing with them. Pendergast faced very few challenges from Kansas City individuals during his long reign as boss of the Kansas City machine; those that were made are examined in detail, using evidence from contemporaneous newspaper reports. The machine was effectively endorsed by the Kansas City establishment, as the business community was, on the whole, either satisfied with its treatment or intimidated by threats of reprisals, if challenger Rabbi Samuel Mayerberg is to be believed. However, some press titles, most notably *The Star*, reacted adversely to Pendergast and their publicised concern at election fraud is detailed.

Nevertheless, the brutal stamping down of the challenges by Mayerberg and the Fusion Party demonstrated more than a mere political concern. The extent to which Pendergast was personally concerned by the Mayerberg challenge is a matter of conjecture. What is certain is that as soon as the challenge was seen as something that might have an adverse effect on machine business, it was dealt with summarily. The

challenge of the Fusionists was met with psychological and physical violence to ensure the continued election success of the machine. In both cases, the message from Pendergast was that the behemoth of the business machine must continue undisturbed. It was as if the mantra of elder brother Jim that ‘politics is war’ had been stamped into Pendergast’s mind.

The role of the press is supposedly important in the exposure of abuses of power. The tradition of “muckraking journalism” in the early twentieth century is an example that ‘air is the best disinfectant’ but muckraking had disappeared by the 1920s. Press scrutiny of government is needed all the more if separation of powers has been usurped. Therefore, the tension between 1920s and 1930s newspaper business practices and ethics is considered in Chapter 7, seeking to explain why criticism of the Pendergast machine was featured only in *The Star* and *The Examiner* and was limited mainly to electoral wrongdoing. The chapter suggests that the business interests of Pendergast and the proprietors of *The Star* dovetailed and both were likely to be materially and adversely affected had a sustained attack on Pendergast’s business empire been made by *The Star* before 1939. Hence it was in the interests of both Pendergast and *Star* owners that they agree a truce, expressly or by implication.

The third section, comprising Chapters 8-10, is a critique of the political party machine and its methods. It looks at the corruptive and corrosive effects of machine rule and seeks to address the ethical questions which arise. By the 1930s, the Kansas City leaders and the state executive, legislature and judiciary were not powerful enough to challenge the might of the Pendergast machine, as its tentacles stretched not only into City Hall but into the Jefferson City capitol too, and as it sought to strengthen business and political interests. It was left to the federal government to defeat the Pendergast machine. At this level, Pendergast had few friends, save for

Truman, whose nickname in the early part of his capitol career was ‘the Junior Senator from Pendergast’.

Chapter 8 explains the two-year electoral process for voters in Kansas City in the inter World War years, when for four months municipal politics and a further four months state and national politics disturbed the business primacy. In particular, it analyses the systemic election frauds practiced by the machine whose underlying motive was retention of city power so that monopoly machine business would continue undisturbed. The chapter details the excessive violence of the spring 1934 election, leading to the onset of *The Star’s* lacklustre and ineffectual campaign for electoral reform. It sets out the comprehensive electoral laws available to state and city prosecutors in the 1930, analysing the reasons why the machine felt itself above such laws and how the stranglehold of machine influence protected machine personnel from legal pursuit until successful federal prosecutions following the 1936 elections.

Chapter 9 details the numerous corrupt activities of machines, aside from election fraud. Following a discussion of the various definitions of ‘corruption’, the chapter lists corrupt practices in support of machine business, such as requiring ‘voluntary’ political contributions from city employees and exerting undue influence in contracts with the city, as well as established links with organized crime. Separately, it relates the history of Pendergast’s misdeeds, leading to charges against him, and others corrupted by him, for federal income tax fraud and conspiracy. It also comments on the reportage of the case in the local newspapers.

Pendergast faced two serious challenges from the federal government. The first challenge arose in late 1936, when a Missouri federal grand jury laid numerous indictments of breach of election law against Kansas City machine personnel. Whilst

on the surface, the Kansas City machine continued its business as usual, its leaders left in place and its reputation apparently undisturbed, even after 259 of its personnel were convicted of numerous offences, the Pendergast machine's financial strength was damaged severely. By then, Pendergast himself was suffering personal financial constraints, as his betting addiction accelerated out of control. The second and fatal challenge related to a personal charge of federal income tax evasion against Pendergast from circumstances unrelated to machine business. Pendergast pleaded guilty to the charges and received a custodial sentence. It was an end to his interest in any machine activity. He died five years later.

The Chapter considers further challenges to corrupt practices. It contrasts the actions of two Missouri governors in their dealings with Pendergast and the effect on Pendergast's patronage powers. From 1933 to 1937, Governor Park was in Pendergast's pocket and useful for machine business. In 1937, Governor Stark, who had unsuccessfully sought Pendergast's endorsement for governor in 1932, turned on Pendergast, weakening Pendergast's reputation as his state patronage was reduced, thereby damaging machine business. The chapter also analyses the reasons behind the downfall of the Pendergast machine and the factors ending machine rule in America, taking into account the effect of New Deal legislation, the decline in immigration and Lyndon Johnson's Great Society.

The final chapter, Chapter 10, examines the larger moral dimension of political party machines, namely the contrast between ethical issues in municipal government and the pragmatic solutions of machine control, for example the low unemployment rate in Kansas City during the Great Depression. The chapter also considers the conclusions that can be reached from years of machine domination of American cities. Machines filled a vacuum left by fragmented city government which

offered no safety measures to deal with poverty, especially after the depression of 1893. Machines offered efficient supply of services at a price that middle class voters were prepared to pay, namely acceptance of monopolistic excesses, provided the less savoury side of city life was removed from view. To this extent, if nothing else, human nature changed little over time and machine bosses were prepared to exploit the trade-off.

Chapter 1.

“Political history is far too criminal and pathological to be a fit subject for study.”
W. H. Auden.

A Brief History of American Local Government until the end of the Nineteenth Century.

From its outset, the United States was constituted as a federation of states which, put simply, was created top down. The Constitution laid down provisions for separation of powers of the federal government and, under the Bill of Rights, allocated all powers to the states not specifically conferred to the federal government. There was no mention of city government in the Constitution. This chapter will explore the evolution of American municipal government and political party machines, as well as reform initiatives based upon those practices over time. It will suggest that the founding fathers decided by commission, not omission, to exclude rules for local administration within the Constitution and Bill of Rights because they were content to leave the administration of cities and towns to the states and, in turn, to local people. It will trace the history of the municipal corporation of colonial times through to the growth of urban America in the post-Civil War years. It will consider the reasons behind the rapid growth of American cities and towns after 1865, providing statistics in support. It will trace not only the early history and evolution of first phase political party machines, their leaders and the exploitation of a diffuse system of local administration but also the double standards and corruption of such machines, leading to the clamour for reform, led by the Progressives.

In *Two Treatises of Government*, John Locke wrote that in a state of nature, civil society originated when men agree to delegate the administration of law to certain officers. Thus government was instituted by a ‘social contract’, where its

powers were limited and involved reciprocal obligations. In considering such origins, Locke did not distinguish between central and local government. However, it is in the immediate locality of where a citizen lives that government and laws are often most relevant. The citizen wants to know how roads will be maintained, how streets will be lit, where sewers will be constructed and who will maintain them, and what rights to build on land might be restricted to protect or benefit neighbouring property. He is also affected by ordinances that may restrict or authorise public entertainment, the consumption of alcohol and the grants of franchises. Equally as important, he wants to know what taxes will be levied locally to pay for the services he requires and how such services will be administered. The National League of Cities reinforces the point: “The Constitution of the United States of America does not mention local governments.”⁴² Yet state laws and federal courts over the past one hundred and fifteen years have relegated municipalities to a subordinate status that contradicts the constitutional status of ‘The People’ living in those communities as the source of all governing authority.

The Declaration of Independence states that governments are instituted to secure people’s rights, and that government derives its just powers from the consent of the governed. The Pennsylvania Constitution, Article 1, §2, declares: “All power is inherent in the people and all free governments are founded on their authority and instituted for their peace, safety, and happiness.” Most state constitutions make similar acknowledgements that The People are the source of all governing authority. It is consistent with these fundamental statements of rights and law that communities of people, through their municipal governments, have legitimate authority to make

⁴² The Community Environment Legal Defense Fund. Home Rule page. www.celdf.org (Accessed 10th July, 2009).

governing decisions about issues affecting their communities and enforce them in law.⁴³

In 1789, government of American cities and towns was considered by the founding fathers as the responsibility of the states, not the federal government. The American Constitution prevented control of municipal government by the federal authorities. The Tenth Amendment provided: “Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Under the ‘states rights’ amendment, power to regulate the administration of American cities and towns was for individual states to decide. The Federalist Papers is silent on the subject of local government. There is no easy explanation as to why the framers should have created the potential vacuum; possibly in 1789 there may not have been a perceived need for supervision of local rule when there were so few American cities. Alternatively, although unlikely, the framers may have felt comfortable that local government should have autonomy in keeping with the new democracy.

In the absence of any specifically ‘American’ model for city governance, it is not surprising that many developing US cities, especially those in the north, followed British models of government. The first American colonies were either British or enjoyed a strong British influence, as well as French and Spanish. The proprietary nature of the Restoration colonies drew settlers from all over Europe. Colonies like New York were ruled by Englishmen who drew on traditions of English law, with variations to appease settlers who were opposed to laws they disliked. For example, in New England, the Duke’s law, which imposed payment of taxes without representation, was a continued source of discontent. The first New York Assembly in

⁴³ CELDF Home Rule page, *ibid*.

1683 passed a Charter of Liberties, setting out the civil and political rights of inhabitants, including the creation of an assembly with suffrage granted to freeholders and freemen.⁴⁴ In Pennsylvania, Quaker William Penn governed to demonstrate the virtues of his religion as well as political liberty. In a statement issued shortly after Penn received his charter, he wrote: “The people will be allowed to shape their own laws.”⁴⁵

By the early eighteenth century, settlers from England had drawn on their experience for the administration of people’s lives. In New England, much was taken from the English parish, village and borough but, as Puritans, they separated the church and its officers from the town and its officers. The church owned no property and worship was conducted in meeting houses owned by the towns. New England towns and their governments were under the auspices of the colony’s General Court which acted as the legislature. Subject to the approval of the General Court, town government rested in the town meeting where each man had an equal voice. Town meetings would deal with local issues such as building and repairing roads, building a meetinghouse and hiring a teacher. Meetings also elected representatives to the colonial assembly, as well as electing town officials including selectmen who administered the rules of the town meetings.

In other northern colonies, the key men were merchants. Already, the importance and relevance of business in local government was prevalent. Colonial cities, invariably sea ports, were built on trade. City dwellers depended on the merchant class for their living. Shipwrights, rope makers, ships’ chandlers and sail

⁴⁴ When New York was transformed into a royal colony, the Charter was repudiated by the Crown.

⁴⁵ John M. Blum and Others. *The National Experience. A History of the United States*. (New York. 1963. Harcourt, Brace and World, Inc.) p.40.

makers were in thrall to the merchant class, as well as teachers, barbers and “even dancing masters.”⁴⁶

As there was no central authority for the colonies, each developed its own administration. Boston and Newport were governed by selectmen. New York was governed by a popularly elected city corporation. Philadelphia was ruled by a close corporation and citizens there had no voice. By 1750, no American city, except Boston, had a population exceeding 8,000. As for the southern colonies, the population of Virginia, Maryland and the Carolinas was estimated collectively at less than 40,000.⁴⁷ Englishmen had brought political ideas to America, giving a semblance of city and town government but the new Americans developed different concepts of representative government. Undoubtedly, colonial assemblies were more representative than the House of Commons. For example, most American adult white males met the property owning qualifications, where the bar was set low. In apportioning representation, New England colonies gave every town the right to send delegates to the colonial assembly. Outside New England, the unit of representation was usually the county. Counties elected assemblymen as agents of the people. In all colonies, elections took place, every two or three years.

Against this background, the founding fathers met in 1789 to hammer out a bargain, known as the Constitution. Despite the wide variations in city government, and the seemingly obvious existence of the city unit as a unit of government, the Constitution made no reference to municipal systems or authority. It would be odd to attribute foresight to the founding fathers on other constitutional matters but suggest that increases in the size of American cities could not have been anticipated by them. Whilst the population of American cities may not have been a factor specifically

⁴⁶ Blum and others, *ibid*, p. 54.

⁴⁷ Blum and others, *op cit*, p. 55.

contemplated in Philadelphia by the likes of George Washington or James Madison, they must have been aware that towards the end of the eighteenth century, European cities had huge populations. Before Benjamin Franklin became ambassador to the Court of King George III, London had a population of 750,000.⁴⁸ When Thomas Jefferson was ambassador to France, Paris was occupied by more than 700,000 people.⁴⁹ Jefferson himself was afraid of a democracy built upon an urban civilization. “When they [the American people] get piled upon one another in large cities, as in Europe, they will become as corrupt as in Europe.”⁵⁰ Arguably, the framers considered the rules already in place for the administration of communities sufficient. Perhaps the imposition of rules for administration of cities was one step too far to be capable of negotiation. Whatever the reason, the Constitutional conference decided that the rule of government of cities and towns was better conducted locally than a ‘one size fits all’ system prescribed by the federal government.

The institution of the municipal corporation as ruler of a city was transported to the American colonial New World by the British. In seventeenth century England, hundreds of cities and boroughs were constituted as municipal corporations, whose charters were adapted to the needs of trading and industry within their communities and whose principal aim was the furtherance of business through use of restrictive business methods, a forerunner to political party machines. As historian John Teaforde has argued: “Such time honoured government practices crossed the Atlantic and set parameters for city life in urban centres flanking the Hudson, the Delaware and the

⁴⁸ The Victorian Web Page. www.victorian.lang.nagoya-u.ac.jp. (Accessed on 21st May, 2008.)

⁴⁹ The People’s Chronology Page. www.enotes.com/peoples-chronology/year. (Accessed on 21st May, 2008.)

⁵⁰ Harold F. Gosnell. *Machine Politics: Chicago Model*. 2nd Edition. (Chicago and London. 1968. University of Chicago Press.) p. xix.

James rivers.”⁵¹ Whilst such practices may have been time honoured, by the time this system reached the United States, it was already under attack in England for benefiting the self-interested and the privileged few at the expense of the many. The self-same objections of running a city to benefit narrow special interests would be made about party machine government in Kansas City and other American cities and towns in the 1920s and 1930s. By the later years of the eighteenth century, there was a growing objection in England to the “self-creating and self-existing Close Corporations which exercised compulsive powers over citizens and was a grievous offence.”⁵² Such objections resulted ultimately in the appointment of a Royal Commission in 1833 and the Reform Act of 1835.

From the founding of the Republic until the end of the Civil War, commerce remained the governing principle of most American municipalities and the needs of trading and industrial communities were regarded by those with power as worthy of protection. Town and city corporations continued to be granted their status by the states. The earliest charters were granted to individual municipalities, generally based on population size, upon application to state legislatures which would pass special acts to create such charters. There was considerable variety in the charters. Some left many issues to local discretion including the right to levy funds to pay for local services such as teachers. Others restricted decision-making authority, resulting in an unsatisfactory and discriminatory process. Limitations on political participation within the corporations reflected such commercial focus. Only those men who were eligible to engage in commerce possessed any political privileges and rights. Women were completely excluded. Borough freemen enjoyed exclusive rights to be active both

⁵¹ John Teaforde. *The Municipal Revolution in America: Origins of Modern Urban Government, 1650-1825*. (Chicago. 1975. The University of Chicago Press.) p.3.

⁵² G.B.A.M. Finlayson. “The Politics of Municipal Reform, 1835.” *The English Historical Review*, Vol. 81, No. 321. (Oct., 1966), pp 673-692. p.673.

commercially and politically. For example, John Teaford's study of the charter for Albany, New York, noted that its freemen enjoyed "the sole right to use or exercise of any art, trade, mystery or manual occupation."⁵³ The self-evident truth of liberty, proclaimed in the Declaration of Independence, clearly did not extend to municipal, commercial and political rights in the fledgling nation. In terms of observance, this truth was patently in its breach. Not surprisingly, some municipalities resisted change. Teaford records that in Philadelphia, the city council was "an incestuous association, dominated since 1776 by members of relatively few wealthy families who were permanently estranged from American politics and popular opinion."⁵⁴ In contrast, communities in New York and Albany elected their councillors for average terms of seven years and five point three years respectively.⁵⁵

There were exceptions to the commercial model of municipal corporations. In New England, the basic unit of both urban and rural government was the town. New England towns originated as religious communities. Rights of political participation were again restricted, based on church membership, something perhaps easier to achieve than a commercial franchise. New England towns did not rely on rents and commercial tolls for income. They acquired their funds through direct property levies, 'the town tax', the forerunner of modern local government revenue.

Gradually, charters granted by special acts were replaced by legislative enactments by the states which, in theory, treated all municipalities alike.⁵⁶ However, as political and administrative thinking progressed, different forms of administrative municipalities emerged. By the early nineteenth century, commercial corporations found themselves being replaced by the mayor-council or 'aldermanic' form of

⁵³ Teaford, op cit, p.19.

⁵⁴ Teaford, op cit, p.56.

⁵⁵ Teaford, op cit, p.61,

⁵⁶ John Henry Baker. *Urban Politics in America*. (New York. 1971. Charles Scribner & Sons.) p.40.

governments. Towns and cities were divided into wards and councillors or aldermen were elected for each ward. Depending on the charter powers, one of the aldermen would be either elected mayor by the aldermen or elected separately by the voters.

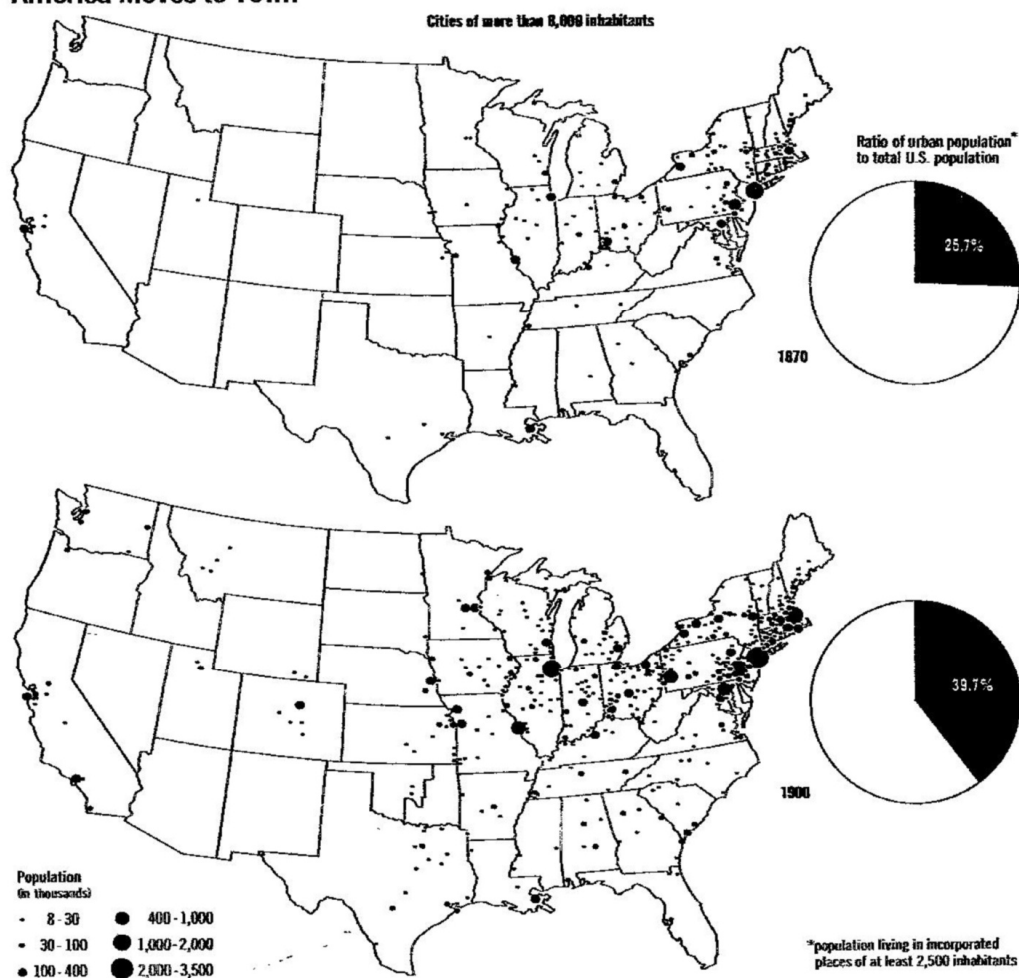
After the end of the American Civil War, urban government thinking was no longer dominated by economic scarcity. Instead, from 1865, the prospect of economic growth was firmly in view as trade with Europe increased and later as waves of immigrants poured into America seeking employment and a better life. Municipal corporate barriers and restrictive practices towards growth, mobility and enterprise collapsed as American citizens demanded political participation and an expansion of services such as better road building and street maintenance, and more adequate fire protection.

As American city populations increased, the paradigm of separation of powers, created in the Constitution, was followed in the charters of many towns and cities, which usually operated separate and distinct legislatures, executives and judiciaries, using numerous committees to regulate and oversee town services, including schools, police, fire services and the like. It was the very fragmentation of municipal power that was exploited by political party machines, whose leaders regarded the manifold and diffuse elements of local power as a useful weakness in the system. Yet, as Max Weber observed, “politics is the slow boring of hard boards.”⁵⁷ Change to municipal government would be slow and would often meet opposition from entrenched interests, as political party machines and their bosses first took power from those who had enjoyed it hitherto and subsequently as they fought the Progressive interests to retain power.

⁵⁷ Marilyn Friedman, (ed.) *Care as the Work of Citizens*. (Oxford. 2005. Oxford University Press.) p.143.

Between 1865 and 1900, city growth was stimulated by a number of factors. John Baker considers there are three criteria for the growth of a city: the gathering of people, relative dense settlements and some economic differentiation between the city and its rural surrounds.⁵⁸ Other factors included completion of transcontinental railroads, which simplified transportation of goods and people, mechanization of agriculture, increasing production and technological advances, such as the invention and development of the motor car. Evidence of the growth in American cities between 1870 and 1900 is clearly visible from the diagrams produced below.⁵⁹

America Moves to Town



⁵⁸ Baker, op cit, p.6.

⁵⁹ Blum and others, op cit, p. 433.

By 1900, there were numerous cities which would have passed the test of Baker's criteria. Boston and New York in the east, Galveston in the south, Chicago, Minneapolis and Detroit in the Midwest and San Francisco in the west all provide evidence that population growth was comparatively uniform in percentage terms, as demonstrated below:

	<u>1860</u>	<u>1880</u>	<u>1900</u>
New York:	813,862.	1,266,209.	3,437,292.
Minneapolis:	3,000. (est).	46,897.	202,718.
Chicago:	108,258.	503,195.	1,008,575.
Kansas City:	4,418.	55,785.	163,898.
San Francisco:	52,886.	232,059.	861,782.

(The above figures were taken from the U. S. Census for the relevant years.⁶⁰)

The choice of the above cities was made not only because of their marked increases in size of population and their location but because of the nature of their government over a forty-year period. Each city's government followed the aldermanic form in theory. However, at different times, each was actually governed by a political machine, which is briefly defined here as a hierarchical organisation which practised monopolistic partisan politics to benefit its members materially.

Whether in Reconstruction government in the South or through early machine government in the North, fraud and corruption infected all. Carpetbaggers as office-holders involved themselves in graft, for example in the sale of public lands and hiring prison labourers. The North was equally corrupt. Rapid growth of cities made

⁶⁰ The 1860 Census details were found at www.census.gov/population/document/twps/0027. The 1880 Census details were found at www.census.gov/prod/www/abs/decennial/1880.html The 1900 Census details were found at www.census.gov/prod/www/abs/decennial/1900.html. (All accessed on 21st May, 2008.)

necessary large-scale expansion of a variety of public services and utilities, such as water, gas, transportation, electricity, construction of public buildings, sewage systems, docks, streets and sidewalk pavements, fire prevention and police protection. Accordingly, a multitude of valuable contracts, franchises, monopolies, subsidies and privileges were available from city government. The enormous sums of money involved attracted unscrupulous men to the business of politics. In the early annals of bossdom, “Honest” John Kelley and Richard Croker of New York City, Christopher Magee and William Finnif of Pittsburgh, all ensured that revenue flowed into their private coffers from office-seekers, contractors, public utilities, railroads, and anybody needing favours or protection.

Usually, machines were led by strong individuals. In New York, the infamous Boss Tweed ruled from the late 1860s until 1879. In Chicago, the Harrisons, father and son, held onto the mayor’s office for 36 years until 1915. Both were known for playing political hardball and fighting reformers.⁶¹ Minneapolis boss Albert Alonzo “Doc” Ames served as mayor on several occasions in the late nineteenth and early twentieth centuries, first as a Democrat and subsequently as a Republican. Known as “the genial doctor” for his medical practice, Ames presided over one of the most corrupt machines of its time. His political career ended when he was sentenced to six years imprisonment for accepting a bribe. Turn of the century San Francisco boss, Iz Durham, was described graphically by muckraking journalist, Lincoln Steffens:

“He [Durham] was a born leader of the common people. He had taught them to like and trust him, even with their votes; he had gathered up and organized the power which lay in their ballots, their trust and their loyalty to him; and he, the good fellow, had taken his neighbour’s faith and sovereignty and turned it into franchises and other grants of the common wealth, which he and his gang had sold to rich businessmen and other enemies of the people. He was a traitor to his own.”⁶²

⁶¹ Bill and Lori Granger, *op cit*, p.28.

⁶² Fred J. Cook. *American Political Bosses and Machines*. (New York. 1973. Franklin Watts Inc.) p. 4.

Although Tweed, the Harrisons, Ames and Durham ruled at different times, there were significant factors common to them all. Each machine they ruled sought to capitalise on the fact that levers of municipal power, namely the power to control people and systems to achieve political ends, had grown diverse; each boss understood the importance of self-interest and that machines were businesses from which huge profits would be derived for the benefit of a limited number of members; each realised the relevance of mass politics and the ability to ensure large numbers of votes being cast in their favour; and none were concerned by the corruptive influence of their rule. Tweed took the view that New York politics was crooked. Consequently, for Tweed, becoming boss was effectively exploiting dishonesty to greatest advantage. To him, it was important that he be the buyer, not the bought.

After his downfall in the 1870s, Tweed explained the way the corrupt system worked:

“Pretty nearly every person who had business with the Board of Supervisors, or furnished the county with supplies, had a friend on the Board of Supervisors, and generally with some member of the Ring. And through that one member they were talked to, and the result was their bills were sent in and passed, and the percentages were paid on the bills.”⁶³

Tweed’s career illustrated a basic truth about the American political-boss system, namely the double standard that applied in public life, where those elected assumed they were entitled to things that those who elected them were not. Giving evidence in his trial for corruption in 1872, Tweed stated: “The fact is New York politics was always dishonest. There never was a time when you couldn’t buy the Board of Aldermen.”⁶⁴

Thus, by the 1870s, the scene was set for a fight for America’s city halls. On the one side, established machine bosses sought to retain their privileged positions, no

⁶³ Cook, *ibid*, p. 22.

⁶⁴ Cook, *op cit*, p.12.

doubt supported by big business that benefited from business monopolies and franchises granted locally. On the other side, Progressives reformers believed that city government was rotten to the core and needed complete reform, root and branch. Those reformers could not seek federal reforms because city government was a matter for the states. The Progressives realised they would struggle state by state but over the next forty years, they achieved successes in reforming city government which have lasted through to present times.

Chapter 2.

“The great enemy of Progressive ideals is not the Establishment but the limitless dullness of those who take them up.” Saul Bellow.

The Fall and Rise of Political Party Machines in the Progressive Era.

There is common ground amongst historians that at the end of the nineteenth and the beginning of the twentieth century, a Progressive movement within America initiated major business and social reforms and political change. However, there is no broad definition of or agreement on the meaning of Progressivism.⁶⁵ Progressive reforms were not merely the pastime of the middle classes. They effected changes in many areas of American society. This chapter will briefly consider the effect of the population increase in American cities and the initial political responses prior to the onset of Progressivism. It will then set out the difficulties faced by Progressives seeking political reform who had to carry their fight state by state to break the political party machines' stranglehold on city government. It will discuss many of the Progressive political reforms achieved, some of which have lasted to the present day. In particular, it will analyse primary elections, initiative, referendum and recall and the move away from the aldermanic form of city government to the commission form, as well as the creation of the role of city manager, assessing the potential flaws of each. Finally, it will examine the manner in which second phase political party machines of the 1920s and 1930s harnessed Progressive reforms to their own purposes and took back City Hall.

By the turn of the twentieth century, the contrast between the comfortable living conditions of the upper and middle classes and the poor, who endured much

⁶⁵ Initially historians like Harold Faulkner were sympathetic towards the Progressive movement and its participants but the benign view was challenged first by Richard Hofstadter and then by others such as Peter Filene, John Buenker and Richard McCormick, each of whom took the view that Progressives were essentially middle class conservatives and, in McCormick's case, that muckrakers and anti-party crusaders were far more influential than Progressive reformers.

misery and degradation, were obvious in most American cities. On pages 22 and 23, statistics were provided for the exponential growth of America's city populations post-Civil War. From the 1860s, cities experienced increasing difficulty in managing their physical environment and coping with the social and economic conditions of their population. Slums and tenements sprang up to house new city dwellers and immigrants alike. Poor working conditions and low pay greeted the hopeful newcomers, whether immigrants or former rural populace. City regulations and police forces were inadequate to control vice and crime. If evidence of working class life was needed, it was readily available, either from fictional accounts such as Upton Sinclair's *The Jungle*, which was based on life in the Chicago meat industry, or factual accounts such as Marie van Vorst's "The Plight of the Working Woman", published in *McClure's* magazine in 1903. According to Kenneth Fox, political scientists of the time termed working-class existence "the municipal problem."⁶⁶

Using a modern phrase to describe the predicament of city administrators, the latter were "behind the curve." Cities were both unprepared and underfunded to cope with the population explosion. Ad hoc and sporadic attempts at reform and the introduction of new forms of government were unable to deliver adequate results. Indigenous political responses failed to mitigate the crisis. New ward organizations caused antagonism between neighbourhoods, races and religious groups.⁶⁷ State legislative supervision initiatives were used to establish commissions to administer local services, such as city police forces and health boards.⁶⁸ The supervision proved

⁶⁶ Kenneth Fox. *Better City Government: Innovation in Urban Politics, 1850-1937.* (Philadelphia. 1977. Temple University Press.) p.3.

⁶⁷ As towns and cities grew in size, they were sub-divided politically into electoral districts known as wards. It was common in the United States for wards to simply be numbered.

⁶⁸ The use of the word "commission" can be confusing. In this instance, a "commission" had power to administer particular services, separate from a town or city council. However, Progressive reforms of city and town government resulted in the "commission form" of government (see below, p. 68, etc), under which stated services under a town or city charter were administered by the commission, here meaning council.

to be of little value. Law and order was not restored and disease persisted. Professor S. J. Kleinberg's account of outbreaks of typhoid and cholera caused by open sewers in the Pittsburgh slums, is a case in point.⁶⁹

With the apparent vacuum in city administration caused by the failure of early form commissions to deliver urgently needed services and the supposed inability of then existing systems to cope with urban problems, the stage was set for the inexorable rise of the city-wide machine – a well organized institution that could deliver services. However, it would be an overstatement to suggest that the states abandoned citizens to their collective fates during the latter part of the nineteenth century. William Novak has tabled many instances of what he refers to as the well regulated society. “Regulations for public safety, public health and security, construction of a public economy which included rules for exchange of food and goods, policing of public space and restraints on public morals” were evident in all state and city governments.⁷⁰ With, perhaps, too little analysis, Novak lists numerous pieces of legislation and court cases in support of his main argument.

Novak may have weakened his argument when offering the evidence of certain early twentieth century academics, such as Samuel Hays, who opined:

“A decidedly upward shift in decision-making power characterised late nineteenth century American police and regulatory policies. The legal and political autonomy of local, regional and sectional entities repeatedly lost out as federal and state governments centralised and consolidated their authority.”⁷¹

In strong support of his argument, Hays cited the decision in ‘Dillon’s Rule’ which, he asserted, held that municipal governments were legally allowed ‘only such powers as were granted to it in specific, unambiguous statutory language.’ In an example, of

⁶⁹ S. J. Kleinberg. *The Shadow of the Mills: Working Class Families in Pittsburgh, 1870-1907*. (Pittsburgh. 1989. University of Pittsburgh Press.).

⁷⁰ William J. Novak. *The People’s Welfare. Law and Regulation in Nineteenth-Century America*. (Chapel Hill, North Carolina. 1996. The University of North Carolina Press.) p. 2.

⁷¹ Novak, *ibid*, p. 241.

early twentieth century spin, Hays twisted the detail of the ruling to make his point that municipal powers were thereby highly restricted. The first part of Dillon's Rule states that local governments have only three types of powers: those granted in express words, those necessarily or fairly implied in or incident to the powers expressly granted, and those essential to the declared objects and purposes of the corporation, not simply convenient, but indispensable.

It is the second part of Dillon's Rule which states that *if there is any reasonable doubt* [my italics] whether a power has been conferred on a local government, then the power has not been conferred. As it was bound by precedent to do, the court imposed a strict construction rule to interpret local government powers. As Hays tried to strengthen his argument using a misleading and clearly incorrect interpretation of Dillon's Rule, it casts a shadow on the remainder of Hays's views and, in turn, the treatment by Novak of his sources.

Despite such flaw in his argument, with good reason Novak has challenged the conventional picture of American state influence over local government in the late nineteenth century. He is supported by Michael Willrich whose work on the Chicago courts during the same period "does not sit well with the conventional picture of American courts during the Progressive era."⁷² Willrich argues that standard historical treatment of the judiciary, as a conservative barrier to social and political change, is an error and that, at city level, the courts were a transforming institution.

This thesis does not take issue with Novak or Willrich on the quantification of legislative and judicial action at state and city level at the end of the nineteenth century. However, there is a qualitative issue. Through mass politics and control of the ballot box, political party machines could and did influence the composition of a

⁷² Michael Willrich. *City of Courts. Socializing Justice in Progressive Era Chicago*. (Cambridge. 2003. Cambridge University Press.) p. xxvi.

local council or state congress and the local and state judicial benches. There was bound to be a temptation for those machines and their bosses, not to mention opportunity, to interfere with or fix legislative or judicial business for themselves or their friends on occasion. This thesis does not suggest there was a systematic or constant exercise of undue influence on legislators or judges. However, when it came to Pendergast's turn in power, the evidence in Chapter 5, page 136, etc, of his relationship with Governor Park surely emphasises the point of ad hoc influence.

Starting as far back as New York City's Tammany Hall, machines were often riddled with corruption from top to bottom. In *Satan's Circus*, Mike Dash explains how Tweed made himself a wealthy man. "Under Tweed's rule, New York spent \$10,000 on a \$75 batch of pencils and another \$171,000 on tables and chairs worth only \$4,000."⁷³ Dash estimates that Tweed and his cronies stole more than \$50 million, equivalent to \$780 million today, from the city.⁷⁴

Corrupt first phase machines were politically unstable, as the collapse of Tweed's administration proved. Tweed was the first of the great political bosses but his career illustrated a basic truth about the American political-boss system, namely that it operated on a double standard of apparent honesty in public but dubious behaviour in private. When Tweed was questioned about his conduct in bribing Republican Supervisor Voorhis, he defended the action. "I don't think men are governed in these matters by ideas of what would be [in civil life] between man and man. I have never known a party man who wouldn't take advantage of such a circumstance."⁷⁵

⁷³ Mike Dash. *Satan's Circus: Murder, Vice, Police Corruption and New York's Trial of the Century*. (London. 2007. Granta Publications.) p. 34.

⁷⁴ Dash, *ibid*, p.35.

⁷⁵ Cook, *op cit*, p.35.

There were efforts to reform administrations and weaken the power of machines. The ‘strong mayor’ system, granting a mayor broad executive powers often replaced the weak mayoral system, where the chief executive had little real power. However, the extra responsibilities given to the former meant that the success of reforms depended on the performance of that individual, not the administration as a whole.⁷⁶ By the end of the nineteenth century, pressure for change built. For affluent city dwellers with a social conscience, the excesses of machine rule had become unacceptable. New professional social workers and muckraking journalists investigated and exposed the awfulness of the sweatshops and dangerous tenement firetraps. Women reformers became prominent. Jane Addams, inspired by England’s Toynbee Hall, established the Hull House settlement houses in 1889. Lilian Wald championed the establishment of a Children’s Bureau within the federal government. City reforms included the foundation of The National Civil Service Reform League in 1881 to promote a merit system for city employees.

Hays refutes the popular, narrative version of American urban history, namely that the growth of cities gave rise to problems and reform forces arose to cope with them.⁷⁷ Instead, he opines that an approach is needed that accepts the city “as is”, with its broad distinctions in ethnicity, religion and race, its inequalities mapped by vertical mobility, the tensions between parochial and emerging cosmopolitan life, between managers and those who are managed, and the sheer enormous variety in human life. He sees urban development as a constant tension between the forces of decentralization and centralization in both human relationships and institutions.

⁷⁶ Under the ‘strong’ mayoral system, mayors were often given greater administrative powers, as well as the casting vote if the Council was tied.

⁷⁷ Samuel P. Hays. “The Changing Political Structure of the City in Industrial America.” *Journal of Urban History*, 1974: 1:6, 6-38.

Hays notes the expansion of cities in the last half of the nineteenth century, as pedestrian life was replaced by transport technologies. Urban political leadership was challenged by sub-communities, arising from migration and upward social mobility. New leadership established new ways of life, where affluent communities sought social differentiation. Former large estates were sub-divided, giving rise to consumer-oriented small businesses and a growth in banking, real estate and professions. The major concern of urban government, according to Hays, was physical development of the city because city revenues derived in the main from property tax. Questions arose on delivery of services and their regulation. A new political order was needed to resolve and limit the intensity of demands caused by density of population. Organization technologies saw the telephone replacing messenger services and residential and factory properties removed from city centres to be replaced by private offices and institutional and commercial buildings. Bodies such as the Chamber of Commerce represented powerful businessmen, neighbourhood boards of trade represented small business and emerging trades unions represented the interests of workers, while professional groups, such as civil engineers and architects, were more concerned with physical organization of sanitary systems and public works. In all of this, according to Hays, the upper classes added special integrative factors, especially in social welfare, for example prohibition and control of prostitution, public baths and settlement houses.

Whether the middle classes or upper classes were the driving force of social reforms is debatable, although the view of elite predominance which Hays expresses is not universally viable. What is worthy of note is that the reforms in question were important elements in the growth of early twentieth century life. Hays also mentions the importance of political reforms such as increased powers for mayors referred to

above, and the new commission forms of government and city manager systems, which are discussed later in this chapter. However, Hays' article contains glaring omissions, namely the shocking living conditions faced by the city poor and immigrants alike, coupled with the corruptive and corrosive influence of city bosses like Iz Durham.

Melvin Holli writes:

"The programmes of turn of the twentieth century large-city mayors who earned the epithet, 'reformer', was the effort to change the structure of municipal government, to eliminate petty crime and vice, and to introduce the business system of the contemporary corporation into municipal government. Such mayors were found in New York, Brooklyn, Buffalo, San Francisco and countless other cities."⁷⁸

The impetus for reform sprang from common assumptions about the causes of municipal misgovernment, as well as better communications nationwide through some titles in the media, for example *McClure's*, coupled with faith in the ability of the masses to rule themselves intelligently. There was also a catalyst in increased industrialization and the ensuing awareness of loss of community, where the balance of population "was tipping in favour of urban areas, causing alarm that not only were cities dens of iniquity but they were also driving people apart."⁷⁹ Thus building a new sense of community became an issue, one that might be addressed with new technologies such as better communications.

Charles Murphy was a leader who recognised these problems. Like William Tweed, Murphy was the boss of Tammany Hall and the New York City Democracy, albeit separated by three decades.⁸⁰ Similarities extend beyond the positions they held. Tammany Hall functioned through structured decentralization, where the

⁷⁸ Melvin G. Holli. *Reform in Detroit. Hazen S. Pingree and Urban Politics.* (New York. 1969. Oxford University Press.) p.162.

⁷⁹ William L. O'Neill. *The Progressive Years. America Comes of Age.* (New York. 1975. Dodd, Mead & Company.) p.95.

⁸⁰ In 1902, Murphy became the undisputed leader of Tammany Hall, a title he maintained until his sudden death in 1924.

political worker's independence depended on ability to deliver votes, and where the boss was at the pinnacle. However, there were marked differences between the two men. Murphy's New York was substantially larger, incorporating all five boroughs, with immigrants accounting for a large minority of the populace. Murphy's administration demonstrated "continuing concern for the poor and ethnic sensitivity in its treatment of urban masses."⁸¹ Amongst the reforms enacted by Murphy's administration were removing machine leaders who engaged in dishonesty and graft, such as Eighth District leader Martin Engel. However, one would not term Murphy a 'Progressive reformer.' He was first and foremost a boss, a deal maker and a conservative leader.⁸²

Hazen Pingree was a reforming city boss who asserted belief in the masses and sought to restore 'community'. Pingree was a four-term mayor of Detroit from 1890 to 1907. He inherited a city of "public peculation, election irregularities, contract fraud, wasteful public works, and moral laxity on the part of municipal officials."⁸³ The Michigan legislature had neutered executive power in Detroit, for example by exempting powerful corporations from city control and taxation. Pingree realised there was more to the struggle for local power than that between corrupt politicians and goo-goos.⁸⁴ He had to balance patronage powers and preferential treatment for urban business and utilities while dealing with living costs experienced by the poor and the striving for dignity and self-assertiveness of newcomers. Pingree's administration established significant social reforms, including limitation of mass transit fares for the working man, the so-called 'three cent fare.' Pingree redistributed

⁸¹ John M. Allswang. *"Bosses, Machines and Urban Voters: An American Symbiosis."* (Port Washington, N.Y. 1977. Kennikat Press). p.73.

⁸² Murphy was not alone. Boss George Cox of Cincinnati was one of many "reforming" mayors at the turn of the twentieth century.

⁸³ Holli, op cit, p.xi.

⁸⁴ A Progressive element, so called because they were advocates of good government.

tax burdens whereby corporations that had been exempted from local taxes lost that privilege. When the panic of 1893 and the ensuing depression hit Detroit, severe social and class tensions developed. Detroit, like most American cities, was unprepared to deal with the consequences but Pingree borrowed money and transferred city funds to Detroit's Poor Commission, acts which did not comply with the law, to prevent starvation. His approach was pragmatic, an attribute which would have been easily recognizable to the bosses of the future like Pendergast and Hague.

In 1878, Francis Parkman declared that "the diseases of the body politic are gathered to a head in the cities."⁸⁵ Anticipating Winston Churchill's bromide on democracy being the worst form of government except for all the others, Parkman viewed the disease as arising from mass politics, the system of indiscriminate suffrage where any man who reached his majority had the right to register to vote, regardless of education, thus elevating an apparently ignorant proletariat to positions of power through the ballot box. Parkman ignored the fact that suffrage was denied to women, approximately one half of the entire American adult city population, not to mention the disenfranchisement of blacks in the South. He also failed to observe that political party machines were capable of corrupting the electoral process itself through numerous unlawful and deceitful practices, such as ghosting and ballot box stuffing.⁸⁶

The evolution of American local government had resulted in an almost senseless diffusion of power. Many cities had separate boards administering services such as health, education, police and fire services, each with their own rules involving checks and balances. It followed that it became impossible to fix accountability for inefficiency and, more importantly, encouraged corruption. In turn, the structure of local government became self-defeating as there was no real prospect of achieving

⁸⁵ Martin Schiesl. *The Politics of Efficiency. Municipal Administration and Reform in America, 1800-1920*. (Berkeley, California. 1977. University of California Press.) p.6.

⁸⁶ See Chapter 8 for a detailed analysis of corrupt election practices.

prompt and efficient performance in municipal functions. Consequently, the diffuse structure afforded unscrupulous machine bosses the ability to divide and rule among municipal leaders. Little wonder that the likes of Iz Durham appeared to make sense of municipal confusion to San Francisco voters, regardless of the fact that machine politicians exploited public interest within a Jacksonian spoils system.

There can be no doubt that by the end of the nineteenth century, the political system of local government had expanded to accommodate not only a vastly increased number of voters but a concomitant rise in the numbers of official appointments and political positions, arising from efforts to meet the increasing needs of urban society demanding services. For example, articles printed in *The New York Times* on 8th June, 1869, and 31st October, 1899, demonstrated that the New York City budget of \$5.455 million for 1870 had risen to \$80,478 million by 1900 to satisfy the demand for services. The Twin Cities, Minneapolis and St. Paul, were administered separately until after the Second World War.⁸⁷ In 1870, there were 21 paid officers in St. Paul, whose budget amounted to \$311,000.⁸⁸ By 1900, the number of paid officers for the city had increased to 74 with an operating budget of \$2,529,000.⁸⁹ Minneapolis, with a larger population, had 53 paid officers in 1869, increasing to 151 by 1900, when its budget amounted to almost \$4,000,000.⁹⁰

Between 1900 and 1930, the population of Kansas City increased from 164,000 to 400,000.⁹¹ Over the same, the increase in municipal budgets in Kansas

⁸⁷ The Twin Cities Metropolitan Area would not come into being until the early 1960s.

⁸⁸ Proceedings of the Common Council of the City of St. Paul for the Year Ending April 12th 1870. (Saint Paul. 1870. Pioneer Book and Job Printing Company.)

⁸⁹ Annual Report of the City Comptroller of the City of St. Paul for the Fiscal Year Ending December 31, 1900.

⁹⁰ A Directory of the City of Minneapolis, 1869. (Minneapolis. 1869. Minneapolis Tribune Printing Co.), Tribune Directory of Minneapolis and St. Anthony, 1871-72. (Minneapolis. 1871. Minneapolis Tribune Printing Co.), and Annual Reports of the Various City Officers of the City of Minneapolis, Minnesota, for the Year 1900. (Minneapolis. 1901. Harrison & Smith Co.)

⁹¹ "Population of 100 Largest Urban Places Pages." www.census.gov/population

City was immense, almost seven fold. The total General Fund expenditures were as follows:

1900: \$1,063,738.⁹²

1910: \$3,243,664.⁹³

1920: \$5,490,813.⁹⁴

1930: \$6,738,970 (year ending 30th April, 1931.)⁹⁵

The Pendergast brothers, like others involved in the Kansas City Democratic Party machine, might well have looked upon the city funds available for expenditure as part of their fiefdom. Certainly, Tom Pendergast's enormous wealth is easier to explain in the light of increasing amounts of city expenditure. Assuming Pendergast's take in 1930 from city funds was as low as 3%, he and his machine would have derived an annual income in excess of \$200,000, in addition to which he would have enjoyed profits from his companies in doing business with the city. He would have benefited as well from other machine practices discussed in Chapter 9.

There is no surprise in the growth of city budgets, bearing in mind the rapid population increases set out on pages 46 and 47 above. Likewise, there is little wonder that city politics became dominated by corrupt politicians and political bosses during the second half of the nineteenth century. The enormous sums of money available to them from 'boodle' and 'graft' would have proved irresistible. The consequent Progressive era witnessed not only a drive for efficiency in business methods but also in much needed reforms to state and city politics. The question for

⁹² "Semi-Annual Report of the City Comptroller for the First Five and Two-Fifths Months of the Fiscal Year, 1900, Ending September 30, 1900." (Kansas City, Missouri. 1901. Cline & Emerick, Printers) and "Semi-Annual Report of the City Comptroller for the Last Six and One-Half Months of the Fiscal Year, 1900, Ending April 15, 1901." (Kansas City, Missouri. 1901. Cline & Emerick, Printers.)

⁹³ Annual Report of the City Comptroller for the Fiscal Year 1910, Beginning April 18, 1910, and Ending April 17, 1911." (Kansas City, Missouri. 1911. Cline Printing. Co.)

⁹⁴ Annual Report of the City Comptroller, Kansas City, Mo., for the Fiscal Year 1920, Beginning April 20, 1920 and Ending April 18, 1921. (Kansas City, Missouri. 1921. Fratcher Printing Co.)

⁹⁵ Annual Report of the Director of Finance for the Fiscal Year 1930 (May 1st, 1930 to April 30th, 1931). A.L. Darby, Director of Finance, Kansas City, Missouri.

middle class reformers opposed to the excesses of machine politics was how best to wrest power away from the machines.

Baker suggests that both machine politicians and Progressives started from the same common point, namely that city government was largely a matter of business.⁹⁶ However, Progressive belief was that city business should be separated from machine politics because the perception of apparent accommodation of public interest by machines resulted in the reality of the allocation of assets to special individual and group interests. Progressives regarded the business of government as the obligation upon those who governed to concern themselves with economic and efficient municipal administration in the best interests of the entire community. In particular, they believed non-partisanship was essential if the hold of machine organizations was to be destroyed. Progressives argued that the removal of party political influence would yield a more rational pursuit of the common good and free local government to work effectively on problems which were visible to the voter. Progressives failed to realise that, in reality, bosses like Pendergast were experienced politicians who already practiced a form of non-partisanship by positioning their machines to appeal to both sides of the political divide.

The difficulties of replacing machine government in the cities at the turn of the twentieth century should not be underestimated. Not only was there the problem of persuading the electorate that returning a party machine to office was not in their interest but there was also the difficulty of breaking the hold of party machines on the election process itself and its spoils. In New York State, a bi-partisan commission, created by Governor Samuel Tilden, was charged with framing a plan for the

⁹⁶ Baker, op cit, p.125.

governance of its cities in response to the Tweed Ring exposures.⁹⁷ The Commission reported: “We place at the head of the list of evils the fact that so large a number of important offices have come to be filled by men possessing little, if any, fitness for the important duties which they are called upon to discharge.”⁹⁸

Hence towards the end of the nineteenth century, local government battle lines were drawn and not just in New York. They appeared throughout American cities. One side featured the party machines and their bosses who purported to look after the poor in society, especially immigrant communities, whilst actually benefiting to the greatest extent the limited interests of themselves and their friends. The other side saw an alliance of mugwumps⁹⁹, goo-goos and other Progressives, determined to wrest power away from such individuals.

The Progressives’ crusade for municipal government reform was haphazard and piecemeal. Such development was unavoidable because not only was municipal power diffused but there was also little room for political reform in the federal arena. City government was, in law and as mentioned previously, a matter for the states, not the federal government. Indeed, the Seventeenth Amendment, under which U. S. senators would in future be elected by popular vote, was the Progressive movement’s sole political success in the federal arena.¹⁰⁰

As has been stated, the city, not the states nor the federal government, was the battleground for political control. The contestants were not only Progressive reformers against political machines but also cities seeking the right to “home rule” from the states. The nationwide economic panic of 1893 and ensuing breakdown of social

⁹⁷ Michael E. McGee. *The Decline of Popular Politics. The American North, 1865-1928.* (Oxford. 2001. Oxford University Press.) p.49.

⁹⁸ Schiesl, op cit, p.7.

⁹⁹ A Progressive element, so called because they positioned themselves in the centre politically, with “their mugs on one side of the divide and their rumps on the other.”

¹⁰⁰ The 18th Amendment was also federal but hardly a success.

services, such as those that existed in the cities, led to the formation of the National Municipal League which fought a non-partisan campaign to clean up city government. The League had its successes, for example in Chicago where it won control of the city in 1896 by exposing records of corrupt aldermen. Progressive leaders, such as Tom Johnson of Cleveland, fought for home rule, wresting legislative rights from states in favour of the cities. Four states, Missouri, California, Washington and Minnesota, had granted home rule to cities by 1900.¹⁰¹

The form of urban government changed little at the outset of the twentieth century, although some cities adopted new charters. The procedure for change was neither simple nor straightforward. In two articles published in 1915, the problems of legislating for a New York City Charter were set out.¹⁰² George McAneny, President of the Board of Aldermen, commented on the importance of home rule for cities throughout New York State and that local people would have a better idea of how to solve local problems. He accepted that there should be left to the state legislature those matters that belonged to the general law of the state, for example the control of elections, but argued that everything that related to the corporate business of the city should be left to the city itself.

In McAneny's ensuing discussion, two relevant main problems were highlighted: first, determining broad questions of policy while forming a basic organization for the city government and, second, the policy conclusions needing to be dovetailed into the mass of local legislation. Other problems highlighted included the lack of co-operation between state and city, the requirement for a constitutional

¹⁰¹ Arthur S. Link and William B. Catton. *American Epoch. A History of the United States Since 1900. Volume 1. An Era of Economic Change, Reform and World Wars, 1900-1945. Fifth Edition.* (New York.1980. Alfred A. Knopf.). p.73.

¹⁰² George McAneny. "The City Charter." *Proceedings of the Academy of Political Science in the City of New York*, Vol. 5, No. 3. The Government of the City of New York. (Apr.,1915), pp 217-229 and "Discussion of the City Charter." *Proceedings of the Academy of Political Science in the City of New York*, Vol. 5, No. 3. The Government of the City of New York. (Apr.,1915), pp 230-237.

amendment restricting the power of the state legislature to interfere with the administration of local business and the need for maintaining borough autonomy, the latter problem being restricted to large cities like New York.

Many other states pursued reform through Progressive politics. According to Richard Hofstadter, by 1895 more than seventy citizens' organizations had been formed to work for the improvement of city conditions.¹⁰³ The direct primary was first introduced by the state of Florida in 1901 and the example was followed by many other states in an attempt to put the choice of candidates in the hands of the people. Hitherto, the outcome of city elections was often decided by 'men in the smoke-filled back rooms', people like Tweed, who held the levers of power. Other reforms were taken up by a number of states after 1910. For example, the short ballot sought to reduce the number of candidates standing for election, making it easier for the voter to understand the choice of candidates before him. Despite such reforms, political party machines found ways to nullify them. For example, the short ballot was challenged by 'the party slate', a list of machine party candidates standing for election. The 'slate' would be endorsed by the machine boss and other prominent party politicians, thus simplifying the voter's choice and helping to ensure machine success at the polls.

Some Progressive city reforms failed, such as the elimination of city wards. The question arises as to whether such abolition of wards as electoral units actually eliminated ward politics. Judging by Kansas City, it did not. Generally, the ensuing reduction in the number of elective offices and the introduction of the short ballot may have eased the task of the voter but it could equally be argued that electoral politics were reduced to the lowest common denominator among voters. The short ballot was

¹⁰³ Richard Hofstadter. *The Progressive Movement, 1900-1915*. (Englewood Cliffs, New Jersey. 1963. Prentice-Hall.) p. 9.

not evidence that the voter was better able to exercise judgment in his or her choice of elected representative, merely that the number of choices had been reduced.

It was understood in Kansas City that prior to the reform of ward politics, if a monkey stood for alderman in certain Kansas City wards, he would be elected. Pendergast accepted the 'primary' reform and used it to his advantage through the machine's introduction of the 'party slate' of representatives. In Kansas City local elections, ward heelers continued to play a significant role in ensuring that Democratic voters elected the party slate, guaranteeing the success of the Democratic Party in Kansas City for election after election. It was the perfect machine antidote to the Progressive aspiration for elimination of party politics. Ward lines themselves may have been eliminated but in Kansas City, as in many other municipalities, the local political party machine continued its political business as if those wards had been retained.

Notwithstanding some reform doubts and failures, the importance of municipal reforms of the early 1900s as a whole cannot be underestimated. Many of the reforms remain in city governments throughout the United States to this day. The commission plan of government, outlined and discussed below, had been adopted by more than 300 cities by 1923.¹⁰⁴ In addition, by 1916, all states save for Rhode Island, Connecticut and New Mexico had adopted the primary system of nominating candidates. The short ballot to reduce the number of elective officials and concentrate responsibility in government was adopted by all states. Many states permitted cities to incorporate rights in their charters for initiative, recall and referendum. Initiative gave citizens the right to seek the enacting of legislation against the will of the legislature. Referendum gave citizens the right to nullify a measure passed by the legislature.

¹⁰⁴ Link and another, op cit, p.75.

Recall gave citizens the right to seek the removal of an elected councillor prior to the termination of his term of office.

In addition to the foregoing, Progressives can claim success for other political reform measures.¹⁰⁵ They include limiting the privileges and duration of franchises; extending the scope of utility regulation; modernizing out-of-date and badly skewed tax assessments, which previously favoured corporations, to benefit taxpayers as a whole; increasing the number of appointive government posts; broadening the civil service to reserve positions for specialists; securing provisions so that specialists devised rudimentary government budget provisions; introducing central, audited purchasing and rationalizing office structures; and requiring specialist bureaux of research to provide data for the foregoing, as well as drafting more complex ordinances.

The most far-reaching city administration reform proposal to defeat machine rule was the abolition of the old aldermanic form of mayor-council and its substitution by ‘the commission plan’, namely city rule by a commission of non-partisan administrators. Despite its appearance as a Progressive discussion topic in the 1880s, proposals seeking centralization of power through local commission government were not the results of original thinking by Progressives. The old New England form of town government, involving election of selectmen, had many similarities.

The first test of the commission plan took place in Galveston, Texas, in 1901, after a tidal wave devastated the town. The local government and its leadership were ineffectual in handling the crisis and the town faced bankruptcy. A group of local businessmen undertook the amelioration of the town’s physical conditions by taking over the town council using the commission plan, under which a board of five

¹⁰⁵ Wiebe, op cit, p.168.

directors, comprising a mayor-president and four commissioners, was elected at large in a non-partisan ballot by the qualified voters of the city. Elections for commissioner posts were to be held every two years:

“The first board was composed of five practical businessmen, each fully recognizing the fact that economy and business methods, not politics, should be employed in transacting the business affairs of the city to furnish pure, wholesome water, adequate sewage, efficient police and fire protection, well lighted, clean and well paved streets, drainage and sanitation, a public hospital for the sick, and a careful management of the city finances.”¹⁰⁶

Under the plan, Galveston’s city business was divided into four departments, finance and revenue, water works and sewage, streets and public property, and police and fire. The schools’ administration remained independent. Each of the four city departments was under the charge and direction of a commissioner. The fifth board member, the mayor, was the executive head of the city. He had power to vote in council but not to veto decisions where board majority rule prevailed. Board meetings were to be conducted weekly at a specific day and time “in a dignified and business-like manner, free from wrangling, disputes and confusion”, but not in public.¹⁰⁷

The new board’s first act was to repair the damage caused to Galveston’s sea defences.¹⁰⁸ The board engaged the services of eminent, independent engineers, not those who had hitherto served to the town’s loss at the behest of the town’s former politicians. At the same time, the board removed all former political employees, engaging capable men in their place. In securing new heads of department to serve under each commissioner as well as engaging other employees, the commissioners ignored political influences, “restoring city hall as a business office, not a loafing

¹⁰⁶ E. R. Cheesborough. “Galveston’s Commission Plan of City Government.” *Annals of the American Academy of Political and Social Science*, Vol. 38, No. 3, Commission Government in American Cities. (Nov., 1911), pp 221-230. p. 222.

¹⁰⁷ Cheesborough, *ibid*, p. 224.

¹⁰⁸ The sea wall built in 1901 was severely tested by Hurricane Ike in September, 2008. Galveston Island suffered flood damage, which would have been considerably worse had the 1901 sea wall not held.

place for politicians.”¹⁰⁹ Clearly, the principle of the new broom sweeping clean was the initial watchword of the new town board, which had no truck with patronage and the political spoils which had existed hitherto in Galveston.

The Galveston plan had a serious constitutional deficiency. There was no checks and balances system to limit the acts of commissioners during their term of office. There could have been a dictatorship of Galveston by a triumvirate alliance of commissioners. The public’s sole remedy was to seek removal of the board at election time. Accordingly, the plan needed substantial revision, which was achieved by Des Moines, Iowa in 1907. Briefly, the revised Des Moines plan provided again for government of the city by a mayor and four councilmen, vested with “all executive, legislative and judicial powers and duties exercised...by executives and administrative officers in cities of the first-class.”¹¹⁰ Cities were designated by states as first class or second class, depending on size of population. Under the Des Moines plan, administrative powers and duties were distributed among five departments: public affairs, accounts and finances, public safety, streets and public improvements, and parks and public property. Council members were chosen by the city electorate. All other officials and assistants (including the city clerk, the treasurer and the auditor) were elected or appointed and subject to removal by the council.

The important distinctions, not only between the Galveston and Iowa plans but also to contest any allegation that the Iowa plan was effectively a return to machine rule, were that the latter contained a number of new innovative democratic provisions, favoured by Progressives, seeking to provide the checks and balances missing from the Galveston plan. There were new initiative rights, where on a petition of twenty

¹⁰⁹ Cheesborough, op cit, p.228.

¹¹⁰ Benjamin F. Shambaugh. “The Des Moines Plan of City Government.” *Proceedings of the American Political Science Association*, Vol. 4, Fourth Annual Meeting, (1907), pp. 189-192. p.189.

five percent of voters, the Des Moines plan itself was subject to adoption or rejection and, after six years, abandonment. The mayor and councilmen were required to be nominated in a non-partisan, primary election and thereafter elected biennially at large. The expression 'non-partisan' meant that there would be no political party affiliation on the ballot sheet. Recall, namely the removal of any elected officer at any time, would be the subject of a vote by the electorate as a whole on a petition of twenty five per cent of the voting electorate. Proposals for new ordinances would be included at elections in a referendum, if proposed by petition, subject to rules for advertisement, inspection and suspension.

In addition, the procedures of the Des Moines council were open to scrutiny. Council meetings were held in public. A detailed, itemized statement of city receipts and expenditures was published monthly. Annually, the city's accounts were examined by independent accountants. In summary, the Des Moines plan represented a new institutional form of city democracy, providing for a non-partisan primary, subsequent election of officers on a general ticket, recall, initiative and referendum, veto or protest, publicity and transparency of town business, and expert examination of books of account.

No system of government was perfect. There were several objections to the revised Des Moines commission form of government. The most serious complaint was the elimination of separation of powers, through the melding of legislative, executive and judicial functions of city government, the self-same conditions which had first given political party machines their stranglehold on city government. In local government, the line between legislative and executive functions was often blurred. However, under the aldermanic form of government, it was reasonably clear that the council enacted ordinances and the mayor's office enforced them. Under the

commission plan, councilmen had the power not only to pass ordinances but also to elect the executive officers who would enforce them. Furthermore, the same councilmen elected the judges who would try the cases under such ordinances.¹¹¹ Additionally, the influence of councilmen would be known to the administrative officers who awarded city contracts and purchased city supplies. Therefore, the conditions which led to patronage and, particularly, abuse of power in the aldermanic system, conditions preferred by machine politicians, were not removed by Progressive reforms and the commission plan.

Walter Cooper suggests there is an argument that municipal government is a business institution, not a legislative function and that the niceties of separation of powers are not relevant. Such an argument is surely unsustainable “in the face of the thousands of ordinances touching matters that concern the life, liberty or property of the citizen.”¹¹² Cooper also argues that concentration of executive power within the commission plan was beneficial in that city business would be conducted more efficiently and that the assignment of city departments to different commission council members incorporated personal responsibility and accountability for such departments, which was lacking under the aldermanic form. However, whilst the efficiency argument might have accuracy, the price was the grant of legislative power to the executives, including an ability to tax and appropriate, providing a recipe for the ‘wide open town’, often proclaimed by political party machines as a boon but labelled a menace by machine opponents and no surety for such efficiency.

According to Herman James, by 1914 there was evidence of dissatisfaction in a number of commission-governed cities, arising from two distinct causes, namely the

¹¹¹ Walter G. Cooper. “Objections to Commission Government.” *Annals of the American Academy of Political and Social Science*, Vol. 38, No. 3, Commission Government in American Cities. (Nov., 1911), pp 183-191. p.185.

¹¹² Cooper, *ibid*, p.186.

indifference or diminution of popular interest concerning the city's affairs and the inherent administrative defects.¹¹³ There was no obvious remedy for the former, a problem that would be turned to advantage by machine politicians in ensuing city primary elections. As James wrote, "Americans are proverbially indifferent to questions of civic importance and act as though city government should run itself."¹¹⁴ The same argument could be used equally for the poor quality of American city government prior to Progressive reforms. It was a lesson well learned by bosses such as Pendergast, whose Kansas City Democratic Party machine harnessed the mass politics initiative by ensuring record numbers of voter registrations and election votes in city election after city election in the 1920s and 1930s, apparently belying the indifference argument. However, there were serious doubts concerning the legal validity of such registrations and the election results.

The argument concerning administration defects highlighted a direct relationship between the reform of the commission plan and its change to the commission-city manager plan. One of the important features of commission government was the responsibility taken by individual commissioners for the proper administration of their departments, subject to a theoretical collective responsibility of the commission as a whole for the entire administration. However, according to James, public opinion of collective responsibility was very much secondary to views of individual responsibility.¹¹⁵ Expecting commissioners to offer their expert services based on such levels of responsibility would require an investment of time and attention which would be both unrealistic and unwarranted for persons giving their services either free of charge or for a fee which was not commensurate with the duties

¹¹³ Herman G. James. "The City Manager Plan, the Latest in American City Government." *The American Political Science Review*, Vol. 8, No. 4, (Nov., 1914), pp. 602-613. p.605.

¹¹⁴ James, *ibid*, p.606.

¹¹⁵ James, *op cit*, p.607.

imposed. The public's expectations of its commissioners would accord to them levels of commitment required from the President of the United States.

The Progressives' concept of running cities solely on business lines by reducing the numbers of aldermen, abolishing ward lines and ignoring the power of special interests organized on political lines, whilst eliminating checks and balances under separation of powers, was not only naïve, it was short-sighted. It was essential to separate the legislative and executive functions of local government, if necessary setting one against the other to provide checks and balances, while trying to retain efficiency and accountability. The solution to this conundrum was the city manager-commission form, where the immediate duty of directing the administration of city business was devolved onto a single, professional official, selected by the representative body of the city.

The first municipality to entertain the solution of a city manager was Staunton, Virginia, in 1908, which retained the aldermanic form combined with the city manager. It fell to Sumter, South Carolina, in 1912, to be the first to combine commission government with a city manager. There may be arguments as to which combination of aldermanic or commission form combined with city manager was the better, but for the purposes of this discussion and analysis, a consideration of the merits and defects of the city manager within a commission system is germane. Kansas City, Missouri, the case study on which this thesis is based, was governed by a commission/city manager system from 1925.

The emphasis placed on the importance of applying business principles to city government, exemplified in the city manager role as executive head and coupled with the selection of competent men to places on the commission with a view to capitalizing from their business experience, was good theory to achieve an increased

efficiency in city government. The city manager provided the municipality with the opportunity to engage an expert administrator and to unify and centralize the city's administration under a single head that reported and was accountable to the commissioners. A strong chief executive would improve the cohesion of city government. Previously, under the commission plan, departments would have found it difficult to work independently because operations of one department would always interact with another. For example, spending departments needed assistance and guidance from finance and accounting; conversely, accounting and finance could not budget accurately without the input from spending departments. Under the commission plan, the mayor would have been required to intervene to resolve inter-departmental disputes and problems. The addition of a city manager appointee to the commission plan meant a better opportunity to manage such situations.

Commission government, even with a city manager, was not the whole answer to city government problems. For example, it was unlikely to cover all city business. Education services might be under a separate commission, as they were in Galveston. The police authority might be controlled by the state, as in Kansas City before 1925. Commissions working at cross purposes might take advantage of or criticise duplications of work or gaps in distribution. Such conditions could be exploited by political party machines. The use of the city manager device afforded the city the opportunity of placing all services under a single executive, subject to oversight by the legislative, thereby reducing opportunities for political divide and rule.

A serious potential flaw in the city manager plan arose if the city was ruled by a political machine, because it afforded a city boss, who controlled the election of commissioners, opportunities to exploit official patronage and to secure the entry of corrupt contracts with suppliers and contractors. Administration efficiency would not

be achieved if the city manager's power to appoint, discipline and remove city employees was restricted through the interference of a machine commissioner who required his own people in city hall, regardless of ability. However, protection against corrupt commissioners required limitations to be placed on a city manager through the city charter but even with such protection, there would still be problems of enforcement. Another potential flaw in the city manager plan was that placing all administrative power in a single individual, albeit an employee of the city, was potentially undemocratic, even though that individual was appointed and subject to removal by elected representatives. Theoretically, the failure by the city manager to perform his duties effectively, coupled with the refusal of a city board to dismiss him, might well result in the removal of both the board and the city manager at the next election, reducing the potential risk.

Given the plethora of political reforms of municipal government proposed during the Progressive era, it might be expected that the city manager variation arose from discussions among experienced public officials or political science academics. In fact, the proposal was made by Richard Childs, "a young advertising man who had the knack of simplifying things."¹¹⁶ Childs was the founder of the Short Ballot Organization and the author, often as a ghost writer, of several articles on government reform. Before Staunton, Virginia, adopted the city manager plan, the media began to report on the plan as if it was already in operation and, eventually, "hundreds of cities were led to adopt the plan by a man who remained so inconspicuous that no one at the first convention of city managers that he attended had ever heard of him."¹¹⁷

Childs was a manipulator of symbols who, through his advertising background, was well aware that ideas like commission government and city manager

¹¹⁶ Don. K. Price. "The Promotion of the City Manager Plan". *The Public Opinion Quarterly*, Vol. 5, No. 4, (Winter, 1941) pp. 563-578.p.563.

¹¹⁷ Price, *ibid*, p.564.

had to be ‘spun’ with the use of a ‘catch-phrase’, even at the cost of a proper understanding of the idea. Favourable public opinion was important if the idea was to succeed. Hence Childs had seen the short ballot as the answer to the problem of the public being invariably asked to choose too many public officials. In his opinion, if municipal government had to work under intricate systems of checks and balances, a clear and concise charter giving a small council full legislative powers, with executive power delegated to an expert administrator, would be popular and public opinion would be favourable. City government would no longer be a parochial institution but would be exemplified as the business corporation.

Not for the last time in the advertising world, the problem of early twentieth century symbolism was that it appears to have been used to sell a product, i.e. good government, different to that envisaged by its Progressive inventors. Thus, good government ceased to become the prime object of a commission-city manager government and was replaced by the concept of less expensive government. The short ballot was not intended to make the electorate better informed but to give it a clearer choice of fewer candidates; instead it became a contest for popular government, where popularity invariably meant cheapness. The city manager objective became equated to lowering taxation, rather than the introduction of a merit system of government. The destruction of the influence of national parties and political party machines in local affairs became more important than making administration more efficient. In the debate over the intention behind commission-city manager form government, its proponents did not help. According to Price, they handicapped it by implying that business-like government would be cheap government.¹¹⁸ As a result, city managers found themselves attacked by the public and machine politicians alike as cold-hearted

¹¹⁸ Price, op cit, p.571.

economisers. Many property owners withdrew their support from Progressive candidates when they found the city manager plan did not result in lower taxes.

The commission system assumed that administration was a function of government which operated best with centralized power and responsibility, a feature well demonstrated by the centralization of the federal executive in the Presidency, not Congress. Private business had accepted for some time that its board of directors could not act as chief executive as well, even if the individual appointed to the office sat on the board. Commission government may have been efficient but power was not separated, hence challenging the democratic nature of this Progressive reform. Even under the Des Moines plan, for a two year period, subject to any vote for a recall, a majority of five men in a city held the power and patronage of that city. Whilst commission government may have resulted from protests against the excesses of machine rule, by ignoring the necessity of separation of powers, it perpetrated the very form of government it was designed to prevent, as well as encouraging potential abuse of power.

Robert Wiebe asserts that Progressivism was the central force in a revolution that fundamentally altered the structure of politics and government of the United States, its states and cities, early in the twentieth century.¹¹⁹ As demonstrated by the Chandler big business model, major corporations tended to move ahead of political reformers to extend the range of their power through bureaucratic means, for example reorganizing administrative centralisation or, put colloquially, information upward, decisions downward. Under the Progressive banner, important social reforms were introduced, such as The Pure Food and Drug Act and the Hull House settlements. Issues such as trade union organization and the right to bargain for wages, as well as

¹¹⁹ Wiebe, op cit, p.181.

laws limiting the length of the working day for women were addressed. It was the first phase machine politicians who, using tried and tested corrupt voting practices, were in the forefront of the resistance to Progressive reforms, reforms which adversely affected machine business. Politicians moved to protect their own interests. Thus the battle of the early part of the twentieth century for municipal power changed the construct of local government. Progressives sought reforms to take back control of city local government for the middle classes, in the expectation that the benefits of efficient administration would trickle down to the working classes, who would support it. The challenges laid down by the Progressives initially met with success as the aldermanic form of city government petered out. However, by the early 1920s, Progressivism lost its support as America 'returned to normalcy' and city government was once again under the control of political party machines. Cities and states including Boston, New York, Albany, Pittsburgh, Atlantic City and Jersey City in the north east, Georgia and Louisiana in the deep south, Memphis, Polk County, Tennessee and Duval County, South Texas in the south, Cincinnati, St. Louis, Kansas City, Chicago and Minneapolis in the Midwest and San Francisco and Seattle in the west were all eventually ruled by machines during the 1920s and 1930s. It was hardly surprising that the machines fought back against Progressive influence, seeking to protect machine business interests by offering voters a different form of city administration that was not as blatantly corrupt as the machines of old and which offered voters a well-managed city.

The history of American local government is one which is chequered, rather than a natural progression. Much was determined by the expansion of the franchise to increasing numbers of voters in cities and towns, whose votes could be bought or corrupted by bosses and machines eager for power and the financial spoils that

followed. Progressive reforms sought to restore good government locally but those reforms were thwarted or turned to advantage by a new type of boss whose machines, in certain instances, were too strong to resist. Perhaps the single most important lesson for the Progressive reformers was that state governments were often unwilling to intervene in local matters. 'Fighting City Hall' covered a range of variable meanings and created changeable situations against enemies prepared to fight dirty for electoral hearts and minds.

Chapter 3.

“A thing may look specious in theory, and yet be ruinous in practice; a thing may look evil in theory, and yet be in practice excellent.” (Edmund Burke).

Theories of Political Party Machines and Their Core Elements.

It is said that politics makes for strange bedfellows. In his discussion of representative government, J. S. Mill stated: “Government...is a problem to be worked like any other questions of business.”¹²⁰ Mill was opposed to the view that government “was strictly a practical art” and merely a means to an end. Political party machine bosses of the 1920s and 1930s would probably have agreed with Mill’s focus upon business. Where the difference may have arisen was in the exercise of power by the bosses which had the ‘end’ of personal profit. Furthermore, by ‘business’, Mill meant studious work. For the bosses, business meant a transaction for ultimate financial gain, regardless of who one worked with.

Political party machines were a phenomenon of American politics. They resulted from the constitutional dictate in which government of an American municipality was a matter for the states, in turn leading to a piecemeal and variegated development of city administration which was exploited by machine bosses. At the end of the Civil War, in response to a rapid growth in city populations, political party machines arose like those of Tweed’s Tammany Hall and for some hundred years, machine rule became the administrative norm for most American cities.

This chapter examines a number of core elements of political party machines, namely: centralization of power and holding levers of government in one entity; the avoidance of political ideology despite political affiliation; manipulation of

¹²⁰ John Stuart Mill. *Considerations on Representative Government*. (London. 1861. Parker, Son & Bourn.) p.8.

incentives; strong, reliable, individual leadership; and operating the machine as a business monopoly, using political organization as a means to that end. Other core elements, including controlling necessary patronage to keep the machine unrivalled, unlawful control of elections and the working relationship with organized crime, are discussed elsewhere in this thesis. The successful machine, through its boss and the machine hierarchy of ward lieutenants and precinct captains, controlled the executive branch of city government, even if the boss was not an elected official. For example, Pendergast operated through nominees. He ceased to be an elected alderman in 1925 but nobody doubted his role as leader of the Kansas City machine until 1939.

To control the city legislature, a machine would put forward its 'slate' of candidates, namely a list of persons standing for election for a political party, approved by the machine and endorsed by the boss. The 'slate' manoeuvre dulled the effect of the non-partisan, short ballot. Through constant newspaper advertising of the names of slate candidates, electors would know which candidates to vote for, even though a party affiliation was not mentioned on the ballot paper. The machine's control of the city judiciary arose from its endorsement of a slate of local judges who, when elected, would owe an obligation to the machine. If that obligation remained unfulfilled by a judge, he would almost certainly find himself replaced on the machine's slate in the next election.

Some cities exercised the right to 'home rule' under which state control of certain functions would be ceded to the city. In this way, a machine's hold on city power would be strengthened. For example, in 1925 the electorate of Kansas City voted to end state control of the Kansas City Police Department, bringing the police under the control of the city commissioners, pursuant to the 1925 Kansas City

Charter. The police chief would now report to the Kansas City town manager, who was not only an employee of the city but also a machine appointee.

Machines argued that they would have been in difficulties providing timely service to their citizens, especially the disadvantaged, if they were hampered by government red tape. By exercising centralized control, the machine was able to bypass city authorities, provide aid direct with considerable speed and to turn the situation to advantage. As Pendergast himself said, "I know all the angles of organizing and every man I meet becomes my friend...When a poor man comes for help, we don't make investigations like these city charities. We fill his belly, warm his back and vote him our way."¹²¹ For those who objected to such centralized power within a city, the machine's answer was simple and straightforward. It could assert either that the machine provided services that the city failed to or could not provide, as a primitive form of welfare, or that it gave the necessary impetus to provide services such as jobs much faster than through the city's normal procedures.

Historically, a fragmented local government had not and could not afford to provide services, whether "bread and butter issues" for the city's poor or education and business services for the middle classes. The 1920s and 1930s political party machines saw the need to provide basic welfare. Even in the 1930s, New Deal welfare programmes were miniscule, especially when compared with those of the Great Society under Lyndon Johnson (1963-1969). Any shortfall in the cost of welfare would be met by machine bosses at their discretion. Unlike the machines, the federal and state governments did not automatically provide jobs, housing and food to the poor and destitute, with no questions asked. Had there not been machine help for these people, welfare provision at city level would have been left to charities, many of

¹²¹ Alfred Steinberg, *op cit*, p.310.

whom found themselves in severe financial difficulties during the Great Depression. Accordingly, even in the 1930s, without the aid of party machines, the poor would have often been without help. Additionally, the middle classes were satisfied if the services they required, such as business permits, were provided by the party in power.

A machine not only provided services. It provided jobs, which might otherwise have not been available to large swathes of the city populace. According to Bill and Lori Granger, the Dawson machine in 1940s Chicago controlled thousands of jobs “in national government and in Chicago and Cook County. Dawson had a particular reputation for being able to get jobs and promotion in the Post Office.”¹²² Clearly, Boss William Dawson had found the way to circumvent a bureaucratic city system to the advantage of his machine, thus deriving loyalty and support from all he helped.

There is no way of knowing accurately how many Kansas City employees worked regularly for their pay-checks. In early 1933, even before the influx of federal money, Kansas City routinely employed 3,750 people, paying them a total of \$450,000 per month. The city handed out roughly an additional \$120,000 weekly to about 3,000 half-time day labourers, each paid \$24 weekly. Many laboured with picks and shovels, performing duties that could have been done quicker and less expensively by earthmoving equipment. Thousands of other Kansas City labourers indirectly received city monies for working on projects funded under the Kansas City Ten-Year Plan.¹²³ Chapter 5 also touches on this topic, detailing astonishing employment figures for Kansas City during the 1930s.¹²⁴

The machine had anticipated New Deal make-work programmes. Pendergast supposedly told machine officials at City Hall: “Give a job to every man who needs

¹²² Bill and Lori Granger, op cit, p.114.

¹²³ Larsen and Hulston, op cit, p.94.

¹²⁴ See page 135.

one. Don't ask what political party he belongs to. We don't mind making Democrats out of Republicans.”¹²⁵ Left unsaid was that every day, labourers hired under New Deal programmes required the endorsement of a machine ward lieutenant.

There is evidence that employment tactics of machines were systemic. John Farmer, the renowned political columnist for *The New Jersey Ledger*, comments:

“The Jersey City, Hague machine actively recruited poor voters with food, such as Thanksgiving turkeys, coal in the winter months and boat rides in the summer.

“Jobs were provided by the city [Jersey City] and Hudson County payrolls. The New Jersey state payroll during the years that Hague ruled extended to state government. The jobs ranged from cleaning women and garbage collectors to low and mid-level city and county bureaucracies, to high-priced lawyers who fought the machine's court battles, as well as judges who, if necessary, fixed the outcomes.

“Secretaries and clerical help were placed on the payrolls of private businesses in the city and county which needed favourable treatment from the machine, for example taxes, contracts and zoning variances.

“Likewise, the Daley machine in Chicago regularly tapped private business for such jobs so extensively.”¹²⁶

Clearly, bosses like Pendergast and Hague were not hide-bound by political niceties or ideology when it came to employment.

Another core element of machine politics, the avoidance of defined political ideology and the indifference to the creation of political policy by machines, has been considered by academics. F. A. Hermens opines that a political machine is pliable, emphasising the point that political affiliation is incidental. The political party to which the machine was aligned seemed immaterial so long as machine business continued undisturbed. The nomenclature of “Democrat” or “Republican” merely served as descriptive shorthand to align the organization politically. Machines needed the power conferred by political affiliation but a machine of the 1920s and 1930s had

¹²⁵ Larsen and Hulston, op cit, p.95.

¹²⁶ Conversation with John Farmer, 14th November, 2008.

few ideological aims of its own. Instead, it would monitor any clearly asserted change in public opinion, the focus of supply being public demand rather than need. Hermens comments that “in the orbit of political machines, there is little serious discussion of political issues. People are drawn together by social activities of some kind or another [such as bowling clubs.] For those with a serious interest in politics, the atmosphere was repulsive.”¹²⁷ Wolfinger agrees with this viewpoint. “Machine politicians are relatively indifferent to public policy.”¹²⁸ Machine politicians generally left policy-making to federal and state government, to be implemented at those levels. Wolfinger commented contemptuously that machine politicians regarded policy issues as “women’s work” and “obstacles to be overcome”¹²⁹. At election time, campaign appeals were likely to include far less about issues and far more on patronage and what the machine candidates would do for the electorate.

While a machine had little or no interest in setting policy, it might react to governmental issues when state government sought to enact policy perceived as adverse to the interest of the organization. An example of self-interest is discernible from a telegram dated 19th May, 1933, from Pendergast to Missouri Governor Park. Pendergast wrote:

“The Bill reducing salaries of Circuit Judges in Kansas City is purely local and does not affect state revenues. I have always opposed the Bill. I know judges here are just as competent and do as much work as judges in St. Louis. The Bill is unfair to judges here and there is no necessity for it. I am sure that if you should veto the Bill, your action in so doing will be approved by business interests and the bar association of KC.”

Park replied that day: “Your wire came too late. The Bill was approved by me on 22nd April.”¹³⁰ It was rare that the machine would seek to interfere in this fashion. It would have cost Pendergast little in personal taxation to maintain judges’ salaries at the then

¹²⁷ F. A. Hermens. “Exit The Boss.” *The Review of Politics*, Vol 2, No. 4. (Oct., 1940), p. 389.

¹²⁸ Wolfinger, op cit, p. 381.

¹²⁹ Wolfinger, op cit, p. 382.

¹³⁰ Western Historical Manuscripts Archive. Guy Park Papers: Collection C. 8. Folder 1664.

existing levels. The inference, therefore, is that judges' salary reductions might have loosened machine influence of the bench.

Undoubtedly, machines were highly political. They exploited mass politics, the ability to produce large numbers of votes to secure political power.¹³¹ Crude methods were employed by Tweed and his ilk. First phase bosses would ply people with drink and pay them to vote illegally. What was given in return in terms of welfare was limited and short term. Second phase bosses realised the error. Hague's famous boast, "service 364 days a year in return for a vote on the 365th day", summed up the position perfectly.¹³² Pendergast served all classes in Kansas City. Little wonder voters remained loyal to politicians who gave in return. However, this was not a machine exercise in political ideology; it was political expediency.

A vital core element of machine politics, the manipulation of incentives by and for party machine personnel, has been the subject of much academic study. The concerns of local government included the servicing of local business, for which rewards would be passed by the executive to the machine and distributed as the boss or ward leader decided. Wolfinger considered there were two types of incentives to machine political participation: first, incentives that fuelled machine politics irrespective of policy and second, a desire to influence particular policy decisions, such as lower local or property taxes, that would directly benefit the running of the machine through benefiting supporters.¹³³ Ultimately, the machine politician's goal was to incur the maximum obligation from his constituents for the minimum cost.

¹³¹ Mass politics has become a modern phenomenon. In the presidential primaries of 2000 and 2008, Howard Dean and Barack Obama utilised the internet and mobile phones respectively to attract voters.

¹³² Richard J. Connors. *A Cycle of Power. The Career of Jersey City Mayor Frank Hague*. (Metuchen, New Jersey. 1971. The Scarecrow Press Inc.) p.84.

¹³³ Wolfinger, *op cit*, p.377. It is important to distinguish indifference to policy-making with influencing policy decisions as a means to an end, namely retaining popularity with the electorate.

Typically, incentives resulted from the routine, local operation of machine government, not substantive policy outcomes. Consequently, machines did not seek a uniform method to reward and encourage all machine workers equally. The rewards that created the incentives in machine politics were both tangible and divisible and individually calibrated. Benefits were divided piecemeal and in unequal proportions but were centrally directed to avoid fragmentation. One ward heeler might be well rewarded for ensuring a good turnout at an election. Others in the same ward might not be rewarded equally. In this manner, the power wielded by a machine boss was mirrored by a ward lieutenant or precinct captain in their communities, thus acceding to those individuals greater or lesser influence within the machine.

Not all manipulative machine practices in dealing with rewards and incentives were questionable, or indeed corrupt. For example, there has been no serious allegation of corruption against the Bird machine of Virginia.¹³⁴ Many fundamental machine practices and techniques were perfectly lawful, such as strong party discipline, capitalizing to advantage on divisions in a city's social structure and making strong efforts to turn out votes in elections. Whether a machine made a city work or not was measurable, not only in the services provided and laws passed but also whether the majority of voters were satisfied with local government as a whole. Those in control had the power to get things done. But, like the businessmen they dealt with, bosses had to maintain their political capital and use incentives or threats to secure co-operation from businessmen and machine personnel alike.¹³⁵

Michael Johnston argues that there are three characteristics needed to make a machine strong and reliable.¹³⁶ First, the organisation itself must be widespread, with

¹³⁴ Benson, op cit. p. xiv.

¹³⁵ Banfield, op cit. p. 242.

¹³⁶ Michael Johnston. *Political Corruption and Public Policy in America*. (Monterey, California. 1982. Brooks/Cola Publishing Co.) p. 39 et seq.

each level of the pyramid leadership supervising a manageable number of subordinates. These subordinates are distinguished from the “actors”, as they do not wield any power, save for that authorised by the machine. Second, the obligations within the machine must be weighted in favour of ‘the boss’. The powers of a boss were manifest in a ‘patron-client’ structure of debt, paid by the machine subordinates through year-long obligations in exchange for rewards, such as jobs. Similarly, the ‘client’ voter also needed to feel obligated to the machine so that he would remain a loyal voter. Third, performance in helping the poor should be easily and inexpensively achieved by the machine, to further its aims.

However, Eric McKittrick goes further than Johnson’s assessment. McKittrick argues that a political party machine has four latent functions: welfare services for the poor and powerless, the price of which was votes; response to problems experienced by businessmen, where the price was routine graft as the wheels of commerce were greased by the machine to the benefit of those businessmen but at a price which was paid to the machine, as well as the city; channels of social mobility for machine workers, where the price was unstinting party loyalty; illegitimate business with the criminal underworld, where the price paid by honest businessmen was in protection money for the criminals and kickbacks for the machine.¹³⁷

Wolfinger opines a narrower view than Johnson or McKittrick, arguing that “local politics was not a matter of issues or civic duty but of bread and butter”, in other words the provision of services.¹³⁸ Harold Gosnell goes further and lists the ‘bread and butter’ issues which constitute the main drivers of machine politics. Political party machines “furnished food, housing, clothing, coal, medical services

¹³⁷ Eric L. McKittrick. “The Study of Corruption.” *Political Science Quarterly*, Vol. 72, No. 4. (Dec., 1957), 502-514, p.505.

¹³⁸ Wolfinger, op cit, p. 366.

and legal services without charge.”¹³⁹ Also, party officials acted as employment brokers for positions in public services and in certain semi-public businesses, often construction, where the business supplied goods and services to the city. To this extent, it can be argued that the services performed by the machines were those which were directly related to governmental welfare.

Gosnell also asserts that “machines kept their grip because they took pains to establish and maintain face to face contact with individual citizens.”¹⁴⁰ City political organizations tended to be street or grass-root level community groups. Where political participation in a city was weakly developed, for example in immigrant communities, citizen interest in the policy process was overtaken by the need for practical assistance. The requirement by city voters for ‘service delivery’ and the majority’s indifference to political ideology fitted well with the modus operandi of the machine.

Not all views of political party machines are negative. David Colburn observed that “the truth of the matter is that machines played a variety of significant roles. In many ways, they humanized a stark urban landscape and made it more tolerable for thousands of foreign immigrants that settled within.”¹⁴¹ Wolfinger noted that “machines furnished needy people with food, clothing and other direct material assistance...and helping poor people deal with bureaucratic demands of urban government.”¹⁴² Bruce Stave, in commenting on the functional nature of the machine, observed that “the machine served the needs of the urban poor in an age when government and private business did not provide such services.”¹⁴³ Stave continued

¹³⁹ Gosnell, op cit, p.24.

¹⁴⁰ Gosnell, op cit, p. 24.

¹⁴¹ Colburn and Pozzetta, op cit, p. 359.

¹⁴² Wolfinger, op cit, p.383.

¹⁴³ Bruce M. Stave and Others. “A Reassessment of the Urban Political Boss: An Exchange of Views.” *The History Teacher*, Vol. 21, No. 3. (May, 1988), 293-312, p. 295.

that machines also took stands upon issues of practical importance to their constituents, issues which were insignificant to national party organizations.¹⁴⁴

Cities were not equipped constitutionally to cope with rapid growth in size and population, thus creating a gap for the political party machines to exploit. In Fred Greenstein's view:

“Parties frequently mismanaged urban growth but they managed it at a time when other instrumentalities for governing the cities were inadequate...By siphoning off discontent and softening the law, they probably contributed to the generally pacific terms of American politics.”¹⁴⁵

Greenstein believes that the machines of the 1920s and 1930s could not have arisen if certain conditions had not already existed in American society and culture. He lists seven broad conditions: a freewheeling individualism and pragmatic attitudes to opportunities; a society unrestrained by feudalism, aristocracy, monarchy and traditional authority; massive urban explosion; disorganized forms of urban government where cities had a multitude of elected officials; weak executives and large councils and boards; needs of businessmen, for example requiring appropriate responses from city government; needs of dependent populations, enduring low wages, long working hours, lack of security, and poor working conditions as the lot of most citizens; and unrestricted suffrage where politicians were well aware of city dwellers' right to vote. Greenstein's observations relating to pre-existing conditions have considerable merit. Many of the conditions he mentions continued to apply well into the 1920s and 1930s.

Social mobility, namely the degree to which individuals can move upward or downward through the class system, continued unaffected by the Great Depression. Many people, affluent in the 1920s, became hobos and migrants as they lost their

¹⁴⁴ Stave and Others, *ibid.*, p. 297.

¹⁴⁵ Fred I. Greenstein. “The Changing Pattern of Urban Party Politics.” *Annals of the American Academy of Political and Social Science*, Vol. 353, City Bosses and Political Machines, (May., 1964), 1-13. p.7.

careers and homes and looked for work. Others, for example the gangster fraternity, prospered. The political machine sustained itself partly by operating as a channel for social mobility through the provision of work. Job applicants to the machine might be employed at all levels in the organization itself, at City Hall or within the business community. Part of the machine's capital was its ability to provide jobs to those who asked. For example, a letter dated 4th October, 1933, from Pendergast to Governor Park, on Ready Mixed Concrete Company letterhead, stated: "Rudolph Boyle whom Jim has spoken to you about as well as myself will hand you this letter. Please help him get some kind of a position that will tide him over."¹⁴⁶

As the market moved up and down, prospects of employment for the poor and their working conditions either improved or worsened, depending upon the year of consideration. In an election year, a machine was likely to increase employment in order to concentrate efforts to bring out the vote, albeit that the jobs may have been temporary. Voting rights remained unchanged, although the likelihood of recording an accurate result in Kansas City worsened. Interestingly, whilst substantial urban expansion occurred nationwide between 1870 and 1930, it is worth noting that in Kansas City this was not ostensibly the case. Whilst its population increased, the rate of increase was not as dramatic as other cities, although the fraudulent voter registration figures in the 1920s might appear to disprove this position.¹⁴⁷

As mentioned in the Introduction, E. E. Cornwell's study of immigration leads him to conclude that machines would have had much less influence in municipal politics.¹⁴⁸ He considered that, essentially, any disciplined grass-roots political organization rested upon a docile mass base which had, in some manner, been

¹⁴⁶ Western Historical Manuscript Archives. Guy Park Papers. Collection C.8. Folder 138.

¹⁴⁷ See Chapter 2, page 73.

¹⁴⁸ E. E. Cornwell. "Bosses, Machines and Ethnic Politics." Harry Bailey, ed. *Ethnic Group Politics*. (Columbus, Ohio. 1969. Merrill.) p. 191

rendered dependable, predictable and capable of being manipulated. Until immigration virtually ceased in the 1920s, there was usually a new group to which a machine could turn. However, Cornwell's model overestimated the importance of ethnic identity and ties, and underestimated the simple fact of poverty. His thesis would not have fitted the case studies of Kansas City or Jersey City, neither of which had an immigrant population of any significance during the 1920s and 1930s. This does not mean that Cornwell has erred. Rather his 'classic model' needs modification in relation to certain cities and to be allied more particularly to the needs of poverty. Specifically, Cornwell asserted that immigrant political support was purchased by providing means of physical assistance, namely jobs, food, accommodation and money, as well as intangibles of friendship, sympathy and social intercourse. Also, the machine acted as a buffer against an unfamiliar state, helping supporters with matters such as street licences and police problems.

To a greater or lesser degree, all such services were provided by the Kansas City and New Jersey machines to its poorer, if not always immigrant, supporters, in sufficient quantity to return each machine to power over and over again, during respectively twenty and thirty year periods. Pendergast was not removed from power until 1939 and Hague won twelve mayoral elections in a row and remained in office until 1947. Also, both Gosnell's and Cornwell's analyses fail to emphasize two important aspects of machine politics, namely centralization and patronage.¹⁴⁹ However, both aspects were emphasised by Greenstein, above, in his historical survey of old-style, phase one organizations.

Traditionally, the machine provided jobs, both in the organization itself and, through its contacts, with the city administration and the private business sector. The

¹⁴⁹ Patronage, as applied to machines and by bosses, is analysed in Chapter 5.

machine derived profits from the private sector, some of which were distributed in welfare to the poor and destitute of the city and some in salaries to employees. However, a substantial profit element would have been retained by the machine ‘higher-ups’, not only from the day to day activities of the machine but in opportunism, for example by engaging in what would now be called ‘insider dealing’. It follows that the machine itself was a business, one of whose main aims was to derive profits both for those who controlled and perpetuated it and from those in other related business who relied upon it.

Aside from the problems of lack of regulation and the endemic corruption that author and muckraker Lincoln Steffens outlined, the machine also created possibilities for underworld activity.¹⁵⁰ In the 1920s, Mayor ‘Big Bill’ Thompson, boss of the Chicago machine, found himself confronted by the ‘dry’ movement whom he placated by posing as a champion of Prohibition whilst “turning over the keys and locks of the city to powerful Chicago underworld.”¹⁵¹ Crime boss Al Capone organized the production and distribution of liquor like any efficient executive and within five years of the passing of the Eighteenth Amendment, he ran fifteen breweries in Illinois and controlled more than fifteen thousand retail outlets, helping himself and his mob to enormous riches, as well as the Chicago politicians and police alike who obtained wealth from bribes received from owners of speakeasies. There is clear evidence of a relationship between the Pendergast machine and organized crime, for example, the gangster Johnny Lazia, a well known underworld figure, was a Pendergast lieutenant until his death in July, 1934.¹⁵² The extent to which organized crime was restricted within Kansas City is difficult to gauge accurately but the price paid for criminal activity was in protection money, kickbacks and a lax police department. Regrettably,

¹⁵⁰ See footnote 113 and elsewhere for Steffens’ criticisms.

¹⁵¹ Bill and Lori Granger, *op cit*, p.56.

¹⁵² Lazia was murdered in Kansas City.

the profitable excesses of machine business, rather than any potential benefits to the community, seem to have been the driving motivation.

The final core element of a machine and its most important was its operation as a business monopoly. To ensure continued successful and profitable business meant the machine had to be unrivalled locally, thus political party machines needed to be business monopolies. Monopoly is an anti-competitive practice, having a single seller within a given industry or a single source of commodity supply. A monopoly blocks and undermines competition whilst imposing cost on a third party which is not its customer. For example, in 1871, Standard Oil forced Pennsylvania refiners out of business by securing agreements from railroads not to transport crude oil.¹⁵³ Definitions of monopoly exemplify political party machine practice in a service industry.

To underline the importance of monopoly in a city, consider the position of a boss and a machine where such a position had not been reached. Businessmen would be confused, at best, as to where to obtain licences and permits and, at worst, would use divide and rule tactics to hold onto their own money by applying direct to City Hall. Patronage power of city jobs would be weakened, if not destroyed. The ability to interface boss/machine owned companies between the city and contractors would become problematical and probably be devastated, as rival organizations sought the business. Organized crime would by-pass such a machine, regarding it as weak. There would be turf wars with rival machines, which would have a serious and adverse effect on business. These issues are not academic. Pendergast would have had first-hand knowledge of this experience when he was forced to accept a 70/30 deal with Shannon (see page 117 below) and would well understand how important it was to

¹⁵³ Hofstadter, op cit, p. 20.

achieve monopoly status for himself and his organization. Anything less would not have been acceptable because the machine would have been unable to generate the funds required to support machine business, electoral control and senior machine personnel's life style.

Lincoln Steffens expressed his distrust of business and its monopolistic influence. He castigated its influence on first phase machines. He observed that help given to the poor was 'simple and direct and obvious' and that gratitude meant votes. He criticised the fact that deals made on higher, more remote levels of city government were often entangled with the intricacies of high finance. Such was the basis of the American political-boss system, operating on two levels, transparency with the majority of constituents and voters, opacity in relation to business. Steffens expressed his essential distrust of business practices and the accompanying political practices thus:

"Big business" was, and it still is, the current name of the devil, the root of all evil, political and economic. It is a blind phrase, useless, it leads nowhere. We can't abolish business, we cannot regulate big business, and we are finding we cannot limit bigness in business which must grow...As early as St Louis, I had seen and written that the big businesses which were active in political corruption were the railroads, public service corporations, banks, etc which are "big" but also saloons, gambling and bawdy houses which are small. What they had in common was not size but the need of privileges, franchises and special legislation, which required legislative corruption; protective tariffs, interpretations of laws in their special interest or leniency or "protection" in enforcement of laws, calling for "pulls" with judges, prosecutors and the police."¹⁵⁴

Further, the evidence of Harry Truman, in his administrative capacity as County Judge and in dealing with a monopolistic second phase machine, was illuminating. "I was able to expend \$7million for the taxpayer's benefit. At the same time I gave away

¹⁵⁴ Lincoln Steffens. *The Autobiography of Lincoln Steffens*. (New York. 1931. Harcourt Brace & Co.) p.495.

about a million dollars in general revenue to satisfy the politicians. But if I hadn't done that the crooks would have had half the seven million."¹⁵⁵

Clearly, 'business' was the essential driver for machines and ordinary businesses alike. However, academics may not have fully appreciated elements of business practice in considering machines. For example, when Edward Banfield contrasted business practice with governmental organizations, he stated that in managing a business, the principal's interest consisted of one or very few objectives, for example a satisfactory level of profits and the maximisation of emoluments.¹⁵⁶ However, by naming a single principal as business head, the author has apparently misunderstood the top management structure of substantial businesses, which actually require two leaders, the chairman of the board of directors and the chief executive, each of whom serve distinct functions.¹⁵⁷ Banfield suggests the incentive system of a business is based largely on money. Clearly, any study of political party machines would confirm likewise. The leaders of business monopolies have myriad responsibilities, not restricted to maintaining profits. For example, the chief executive needs to keep and maintain a manufacturing monopoly through research and development, not something a machine boss needed to consider. Alternatively, both the chief executive and the boss need to provide incentives for the workforce, some of which were intangible, for example in the activities of a party machine, identifying with voters and in both, team camaraderie.

Banfield describes the highly integrated system of control through which a chief executive 'reduces the objectiveness' of the business by defining targets,

¹⁵⁵ Andrew J. Dunar. *The Truman Scandals and the Politics of Morality*. (Columbia, Missouri. 1984. University of Missouri Press) p. 10.

¹⁵⁶ Edward C. Banfield. "Corruption as a Feature of Governmental Organization". *Journal of Law and Economics*, Vol. 18, No 3, Economic Analysis of Political Behaviour: Universities-National Bureau Conference Series Number 29. (Dec., 1975), 587-605, p 591.

¹⁵⁷ The chairman is usually a non-executive appointment. He or she guides the strategy of the business through the Board. The chief executive has responsibility for the day to day affairs of the business.

selecting agents, fixing limits on the agents' discretion, giving or withholding rewards and punishments and monitoring performance. Furthermore, he states that the chief executive makes authoritative rulings on terms whereby internal conflicts are settled and that a chief executive continues in office only as long as profits are 'satisfactory'. All the above apply equally to the role of a machine leader. While Banfield attempts to contrast the power of a chief executive with the head of a government organization, it is in the comparisons with a boss that he is unintentionally most accurate. Finally, Banfield states that a business organization, as opposed to a government organization, may do whatever is not prohibited by law or government regulation. Surely, a machine is no different in principle. All of the above leads to a conclusion that Banfield demonstrates a weaker understanding of business than appropriate.

The Introduction briefly mentioned Alfred Chandler's business model in *Visible Hand* and his analysis of big business management. Political party machines are distinguished from big business because machines were not big business in the normal sense. They were neither nationwide nor businesses with branches in several states. They were localised and personal in nature, requiring just one figurehead. It is helpful to analyse and make comparisons and contrasts from Chandler's model with the Kansas City business machine, and by extension other political party machines, to make clear the distinctions between big business and machine monopoly. For the sake of clarity, two issues need to be clarified at the outset. First, the Pendergast Kansas City machine business must be considered separately from that of the Kansas City Council business, although there were overlaps. For example, from the 1850s the law of Missouri made it illegal "to expose for sale, or sell, any goods, wares or

merchandise without first obtaining a state licence to trade.”¹⁵⁸ The power was delegated to the cities. In 1920s and 1930s Kansas City, it was accepted by the business community that no licence would be forthcoming that was not procured through the machine. Second, Pendergast ran other businesses, such as Ready-Mixed Concrete, alongside the monopoly city business. In this section the two will be referred to collectively as “the Pendergast Businesses.”

Chandler founds his theories based on eight propositions, indicating the nature of modern business and explaining why management replaced market mechanisms. The first proposition is that ‘modern multi-unit business enterprise replaced small traditional enterprise when administrative coordination permitted greater productivity, lower costs and higher profits than coordinating by market mechanisms.’ Chandler argues that internalization beats the market. As the Kansas City business machine was a monopoly, insofar as it related to city business, the proposition does not apply. There is no evidence to suggest a paradigm in the administration of the Pendergast Businesses.

The second proposition is ‘advantages of internalizing the activities of many business units within a single enterprise could not be realised until a managerial hierarchy had been created.’ Chandler suggests that managers replace market forces. Once again, there is no evidence to suggest the existence of a managerial hierarchy, separate from ownership, within the Pendergast Businesses. On the contrary, for many years Pendergast held a tight grip on the management of many Kansas City wards, whilst others were left entirely to their leaders, such as Cas Welch. There were managers for some of the trading companies but there was no central management hierarchy, overseeing the work. Pendergast employed an accountant, Edward

¹⁵⁸ William J. Novak. *The People's Welfare. Law and Regulation in Nineteenth-Century America*. (Chapel Hill, North Carolina. 1996. The University of North Carolina Press.) p.91.

Schneider, who according to contemporary accounts, acted more as a bookkeeper. Schneider committed suicide in the wake of Pendergast's prosecution for federal tax evasion.

The third proposition is 'modern business enterprise appeared for the first time in history when a volume of economic activities reached a level that made administrative coordination more efficient and more profitable than market coordination.' Chandler argues that modern business benefited from new technologies equally or more than expanding markets. Undoubtedly, the activity within the Pendergast Businesses increased with the expansion of local business generally but Pendergast's use of manpower on road building projects rather than technology in the New Deal years argues for his championing Keynesian principles rather than Chandler's.¹⁵⁹ The fourth proposition is 'once managerial hierarchy had been formed and had successfully carried out its function of administrative coordination, the hierarchy itself became a source of permanence, power and continued growth.' Chandler states that modern business took on a life of its own. As there is no evidence of a managerial hierarchy within the Pendergast Businesses, the point is moot.

The fifth proposition is 'the careers of salaried managers who directed hierarchies become increasingly technical and professional.' Here Chandler suggests that specialist skills, selection and promotion based on training, experience and performance take precedence over family influence or money. There is evidence within the Hartmann Report that a number of middle managers robbed their companies by following Pendergast's example, hardly supreme professionalism.¹⁶⁰ The sixth proposition is 'the multi-unit business enterprise grew in size and diversity and as its managers became more professional, the management of the enterprise

¹⁵⁹ Economist John Maynard Keynes advised that governments should interfere with markets in periods of high unemployment, including making funds available for projects, even if non-jobs were created.

¹⁶⁰ Hartmann Report, op cit. Chapter XIV.

became separated from its ownership.’ Corporations were quoted on public stock exchanges so that ownership became widely scattered. Control of such corporations would be retained by top management who would determine long-term policy as well as operating activities. Following Pendergast’s illness in 1936, he ceded day to day control of the Pendergast Businesses to his nephew, Jimmy, so to this limited extent, top management was in control but ownership remained in Pendergast’s hands.

The seventh proposition is ‘in making administrative decisions, career managers preferred policies that favoured the long-term stability and growth of their enterprises to those that maximised current profits.’ The primary goal was to ensure continuity, where managers were more willing than owners to reduce current dividends to maintain long-term viability. The point is moot in that policy was determined by Pendergast, or his nephew, and ward leaders. Ownership and management control remained in the same hands. The eighth and final proposition is ‘as large enterprises grew and dominated major sectors of the economy, they altered the basic structure of these sectors and of the economy as a whole.’ Chandler makes the point that new enterprises did not replace the market. They took over the coordination and integration of the flow of goods and services to the ultimate customer. To the extent that such new enterprises were monopolies, there is a strong similarity to the Pendergast machine business.

The first three propositions help to explain the initial appearance of modern American business enterprise and the remaining five concern its continuing growth. Chandler makes the interesting point that the relationship between ownership and management within the integrated enterprise reflected the way in which it became large.¹⁶¹ Where internally generated funds paid for facilities and financed continued

¹⁶¹ Chandler, op cit, p. 491.

growth, the founder and his family retained control. Nevertheless, members of the entrepreneurial family rarely became active in top management unless they themselves were trained as professional managers. The machines of Pendergast and Frank Hague of Jersey City are good examples of this point.

Any business must have a line management structure and machines were no different. A machine personnel chart would have had the appearance of a pyramid. At the top was the leader or “boss”. Beneath him were several layers of control and influence. Immediately under the boss were his ward lieutenants who derived their power not only from the boss but sometimes as elected officials in their own right, such as sheriff or alderman. Below the ward lieutenants were the precinct captains and under them were other party operatives who, with the help of junior members of the machine, controlled districts, wards and precincts. Ward leaders might control anything from thirty to forty precinct captains. The job of a precinct captain was to recruit for the machine in his precinct so that there were sufficient numbers of machine personnel, “ward heelers”, to act as contacts with voters, especially in an election year. They needed to get out the vote for the machine party’s choice at primary and election time.

An organizational chart of a machine had many apparent similarities to that of the American mafia. Both were shaped in a pyramid with clear lines of reporting and levels of “deniability”, where the boss was isolated from any association with wrongdoing at lower levels and where those at the bottom of the pyramid were required to do all the dirty work. However, such a comparison is more coincidental than intentional. Although a machine was not averse to using mafia-style tactics, such as intimidation and threat of physical violence, to get its way, such tactics were not the prime resource, nor organised crime the *raison d’être*. Bosses like Pendergast

realised that an abundance of carrot and a minimum of stick generally produced better results.

Most machines had a large work force. Gosnell suggests that in the pre-World War II years, the average number of voters per precinct throughout the country was 400.¹⁶² At election time, the number of machine workers would increase so that there would generally be five, and no more than ten, voters for each ward heeler. Accordingly, the machine needed funds to pay party workers, as well as providing welfare. Such funds were derived in various ways. The machine levied a charge on all persons working for the City, based on a percentage of income and through links with organized crime. It charged for licences and permits. It derived profits from city contracts. The Pendergast Businesses would have benefited enormously. All the foregoing would not have been possible had the machine not held a monopoly position.

To summarise, the analyses of Wolfinger, Scott, and others mentioned in the Introduction and this chapter have merit. They all detail certain attributes of a machine model: reliable and repetitive centralized control, manipulation of incentives, and non-ideological approaches and attitudes. However, none of the writers seems to have directly considered and focused solely upon a machine as an effective business, providing services. The machine had the added and essential advantage of monopoly, as it controlled and centralized all the levers of political power through which services were provided.

The business of local machine politics was oiled by pragmatism, patronage and graft. A pragmatist is one who adopts a practical approach to problems and affairs. He turns away from abstraction and insufficiency looking towards concreteness,

¹⁶² Gosnell, op cit, p.51.

adequacy, facts and action to obtain power and control. According to Jonathan van Meter, the Atlantic City turn of the twentieth century machine “was run by Republicans. This had less to do with any deeply felt principles than with pragmatism”, thus reinforcing the pragmatic attitude of machine bosses and confirming the machine’s apolitical nature, as summarised above by Frank Hague with his “service 364 days” remark.¹⁶³

A major shareholder in a machine business held an attractive investment. No injection of capital funds was required. There was no need to purchase machinery or hold stock. If office equipment was needed, the cost would be allocated to the relevant political party. Additionally, the relationship between the machine and local banks would enable the major shareholder to negotiate any loans needed by the machine at favourable rates of interest and with generous repayment terms. Furthermore, the major shareholder had access to the highest levels of city government, thus would have an insider’s knowledge of future developments within the city. Journalist John Farmer believes that over the thirty-plus years of his stewardship of Jersey City, Frank Hague probably owned some 20% of Jersey City and Hudson County land, using dummy corporations to buy parcels of land shortly before they were needed for industrial and residential development and selling such land at a huge profit.¹⁶⁴

From the foregoing, it is worthwhile to consider who were the major and minor beneficiaries and losers of machine politics in the 1920s and 1930s. Clearly, the machine leadership was a major beneficiary. The bosses and ward captains received substantial financial rewards and power, both legal and otherwise. Wealthy individuals and large businesses were also major beneficiaries through franchises, contracts and city business; they were also the recipients of privileged information

¹⁶³ Jonathan van Meter. *The Last Good Time. Skinny D’Amato, The Notorious 500 Club, The Ratpack & The Rise and Fall of Atlantic City*. (London. 2004. Bloomsbury Publishing.) p.43.

¹⁶⁴ Interview with John Farmer in New York on 12th September, 2006.

and benefited from weak government regulation. Illegal enterprises and vice operations benefited enormously, especially when able to prevent law enforcement through political “pull”, if the local police force was not controlled by the state. Finally, banks and financial institution were substantial beneficiaries through large deposits of funds and purchases of city bonds at favourable terms. The minor beneficiaries of machine politics were smaller businesses, who with their larger counterparts profited from weak regulation, as well as impoverished individuals, through machine “welfare”, and patronage workers who received low-paying jobs with the city or through the influence of the machine.

Taxpayers, able job-seekers and people seeking political policy benefits on merit were the minor losers. Taxpayers often paid for services they did not receive. Able job-seekers were turned down for work, despite being well qualified, because less qualified persons were appointed at the behest of the machine. There were five groups of major losers. First, the class and ethnic-based political movements suffered from lost opportunities as potential supporters, i.e. immigrants and low paid, were “bought off”. Second, the poor as a class lost because of increased dependency on the machine for few sizeable benefits and as their political options were lost. Third, competing political parties and organizations suffered from machine hostility, especially at elections, and from city government harassment. Fourth, competing social service organizations, such as charities, were also disadvantaged by machine hostility and city government harassment. Fifth, the public’s lives were adversely affected by the rise in crime and the increased permissiveness in their cities.

There were other costs of machine politics. It can be argued that the concentration of responsibility in one unit of obligations that would otherwise be dissipated among many overlapping and weak authorities is a credit. However, its

achievements may not be sufficient to offset the problems. The debit side of machine politics included the distortion and corruption of the election process, preying on the country's weaker economic elements, twisting administration of the law to benefit special interests, weakening faith in political institutions and destroying morale of public employees.¹⁶⁵

In conclusion, there are many similarities between political party machines and business monopolies. Each seeks to organize and centralize power. A machine has its "boss" and head office. It has an organizational structure where power is concentrated at the centre. It devolves a limited amount of power to wards. It seeks to control the politics of its city, that is who gets elected, who gets employed by the city and which corporations get the contracts and licences they need. Likewise, a business monopoly was almost invariably ruled by a strong figurehead, such as J. P. Morgan. The monopoly, benefiting from its centralized power structure, devolved business to wholly owned subsidiary companies and decided who transacted business with the monopoly and upon what terms. Therefore, it is argued that the Kansas City machine, led by Tom Pendergast, had much in common with a business monopoly and that the soubriquet 'political' was secondary, even incidental, to that business.

¹⁶⁵ Gosnell, op cit, p. 25.

Chapter 4.

“The working class can kiss my arse – I’ve got the boss’s job at last.” Anonymous.
(Australian Labour movement).

“Bossism”: The Need For Strong Leadership.

The Dictionary of Politics defines leadership as “a quality which in theory signifies the ability of a person or a group of people to persuade others to act by inspiring them and making them believe that a proposed course of action is the correct one.”¹⁶⁶ In a democracy, regardless of whether the persons led are within the for-profit or not-for-profit sector or in public life, the leader will be accountable to third parties and be required to show that he or she has exercised powers and discharged the perceived duties properly. Democratic leaders are stewards of the powers granted to them by the relevant organization that they lead. They owe duties of care and responsibility to members of that organization and, in given circumstances, to the public at large.

In stark contrast, bosses of political party machines of the 1920s and 1930s had no enforceable accountability to their members or to the public at large, save to the extent they held elected office. There were no members of machines to which a specific set of duties were owed. Unlike chairmen or chief executives of limited liability companies or senior partners of professional partnerships, bosses were not accountable to shareholders or partners. There was no mechanism for ward lieutenants, precinct captains and machine members to hold a boss accountable in the normally accepted manner.

This chapter will examine the various academic definitions of ‘bossism’ and ‘the boss’ and explain the apparent conflicting functions of a boss as a public political

¹⁶⁶ Robertson, op cit, p.275.

figure and as a private businessman, his lack of accountability and his use of rewards and punishments to keep machine personnel in check, while operating as both a pragmatist and a networker. It will also explain the operation of the boss system in which the rich and poor are aided in unequal measure to benefit the machine. Using the career of Tom Pendergast as a case study, the chapter will recount Pendergast's career as a local politician and clarify the manner in which he controlled the Kansas City machine, detailing his rise to power and the ingenious manner with which he bettered his most serious political rival, Joe Shannon, relegating Shannon to the position of junior partner. It will also demonstrate Pendergast's political acuity in realising that it was in the best interest of both his machine and himself to agree to Progressive reforms to the proposed 1925 Kansas City charter and then use the proposed changes to his benefit, securing and cementing his position and that of his machine as the unchallenged political power in Kansas City. It will consider the lack of archival evidence of Pendergast's rule and suggest reasons for this, in particular that the paucity of Pendergast documentary evidence was probably deliberate on his part. Without written evidence, there was less chance that evidence of Pendergast wrongdoing would be produced against him in a court of law.

The chapter will also assess Pendergast as a businessman while comparing and contrasting his businesses and methods with those of boss Frank Hague, mayor of Jersey City during approximately the same period. It will argue that, essentially, so long as local election victories were secured by and profitable transactions concluded for the machine, the position of these bosses was unassailable, until in Pendergast's case actions were taken by the federal government and until, in Hague's case, he chose to retire. Finally, the chapter will suggest that the principal *raison d'être* of

bosses like Pendergast and Hague was to use machine politics to strengthen personal fortunes.

‘Bossism’ connotes a system of political control, focused on a single powerful head, the boss, and a complex system of lesser figures comprising the machine personnel. The senior members are bound together by reciprocity in promoting financial and social self-interest. P. J. Madgwick regards a boss as merely “a professional political party organizer, occupying a base in city government and working on the one hand by means of rewards and services for voters and on the other for a clientele of businessmen, community interests and the community at large.”¹⁶⁷ Madgwick’s view is too simplistic. He ignores the fact that bosses also take advantage of their position, for example by concluding their own commercial contracts with the city, unimpeded by competition.

William Munro sees the boss not in the role of a leader but as a mediator between poverty and power, and whose chief function is as a broker between those wanting public favours and those able to give something in return.¹⁶⁸ In this role, the boss recoups his funds from acting as a silent partner with contractors, for example by serving as local agent for railroads and oil concerns and as a negotiator for the sale of public property. In addition, the boss also helps friends out of luck, is generous to the poor and is a liberal subscriber to neighbourhood charities. Such a depiction suggests that, in Munro’s eyes, the boss is almost a Robin Hood figure where accountability is replaced by altruism. Munro fails to address the reality that the boss’s role of mediator must necessarily require power and personnel behind it to be successful.

James Scott concurs with Munro. For Scott, the boss “typified for the rank and file an empirical justice that worked more consistently in the interests of the poor, for

¹⁶⁷ P. J. Madgwick. *American City Politics*. (London. 1970. Routledge and Kegan Paul). p.75.

¹⁶⁸ William B. Munro. “The Boss in Politics – Asset or Liability?” *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), 12-20. p.16.

attention is focused upon their concrete needs and deprivations and hinted of the social banditry of an urban Robin Hood.”¹⁶⁹ This romantic scenario ignores the fact that the boss also enacted the role of the villainous Sheriff of Nottingham, redistributing wealth not to the poor but to the rich. When one considers the self-aggrandisement of bosses like Pendergast and their opulent modus vivendi, especially during the Great Depression, the Robin Hood corollary collapses. Furthermore, Munro’s and Scott’s assessment fails in the face of ample evidence, set out in Chapter 9, that bosses like Pendergast greased the wheels for those engaged in organized crime.

Michael Johnston takes a more jaundiced view of bossism. He opines that bosses remain bosses by “maintaining an imbalance of obligation in their favour.” Simply put, most of a boss’s followers feel they owe the boss something or at least that they are obliged to support the boss actively, if they are to win future benefits.¹⁷⁰ Here the emphasis is the debt owed to the boss. For Robert Merton, the key structural function of a boss is “to organize, centralize and maintain in good working order and condition ‘the scattered fragments of power’ which are dispersed through a political organization.”¹⁷¹ He has noted the normal fragmentary nature of municipal politics. He analyses the successful boss as one who satisfies the needs of diverse subgroups within a larger community where the legally approved social structure has failed. Here the emphasis is slightly different, as Merton takes into account the rich with whom bosses like Pendergast did business, people who would not consider themselves in debt to the boss. What Merton fails to address is the result of centralizing power,

¹⁶⁹ James C. Scott. “Corruption, Machine Politics, and Political Change.” *The American Political Science Review*. Vol. 63, No. 4. (Dec., 1969). 1142-1158. p.1144

¹⁷⁰ Michael Johnston. “Patrons and Clients, Jobs and Machines: A Case Study of the Uses of Patronage.” *The American Political Science Review*. Vol. 73, No. 2. (Jun., 1979), 385-398. p.386.

¹⁷¹ Robert K. Merton. *Social Theory and Social Structure*. (New York. 1968. The Free Press.) p.126.

namely the smooth running of a machine with resulting large profits for a boss from both machine and personal business.

Harold Gosnell has considered the balance sheet of machine politics and placed on the credit side the success of bosses in softening class conflict, which business leaders found useful because it defused potentially violent labour disputes.¹⁷² Whilst such academic theory might seem plausible, it is difficult to reconcile such plaudits with the reality of machine life. The boss could easily organize official and unofficial methods to deal with class conflict and labour disputes, without any resort to such ‘softening’. Disposal of such problems could occur in the same way as disposal of electoral opposition, namely use of either the local police force or organised crime to intimidate dissenters and visit violence on those who resist.

Edward Banfield suggests a machine’s political head must “like any trader, maintain his capital and employ incentives to secure co-operation.”¹⁷³ Correctly, he notes that “debts of influence” owed to a boss are ones that cannot be collected through the courts and that the boss will impose extra-legal rules to secure enforcements.¹⁷⁴ Such extra-legal rules included intimidation, threats of violence and reprisal, methods not limited to bosses with notorious reputations. Fiorella La Guardia, New York mayor and boss between 1934 and 1945, who was held by the New York public in high esteem, had a Machiavellian streak in melting-pot politics. “He was not above exploiting fears, insecurities, prejudices and hatreds to get out the vote.”¹⁷⁵ In exploiting racial and ethnic prejudice, La Guardia could run circles around the other bosses he despised and derided. “When it came to raking ashes of

¹⁷² Gosnell, op cit, p.183.

¹⁷³ Edward C. Banfield. *A New Theory of Urban Politics*. (New York. 1961. Free Press.) p.242.

¹⁷⁴ Banfield, *ibid*, p.243.

¹⁷⁵ Leonard Ruchelman. *Big City Mayors: The Crisis in Urban Politics*. (Bloomington, Indiana. 1969. Indiana University Press). p.36.

Old World hates, warming ancient grudges, waving the bloody shirt, turning the ear to ancestral campaigner, he bragged, 'I invented the low blow.' "176

Successful bosses needed to be masters of both positive and negative use of inducements and threats to achieve their ends. A boss was in a position to reward or punish such diverse individuals as an aspiring ward lieutenant, precinct captain, city officer or local politician or businessman. For his own people who sought promotion or just a job, the boss would get his way using both carrot and stick. A cadre of loyal party workers would be maintained by a mixture of material rewards and non-ideological psychic incentives, for example ethnic recognition and camaraderie. However, it would be a mistake to believe that all within a successful machine was calm, controlled and free from rancour. Author Thomas Fleming's father, Teddy, became Sheriff of Hudson County in the 1920s under Frank Hague's Jersey City machine. Fleming was one of the few Hague senior operatives not to be prosecuted. Fleming Junior writes:

"A political machine was a meaningless misnomer. There was no such thing in Jersey City...or any city where the Irish-Americans organised things politically...For anyone who saw how things worked from the inside, the opposite was the case. A political organization was a churning mix of ambition and resentment and inertia over which leaders presided only by constant effort."177

It would be facile to dismiss Fleming's viewpoint as a mere aside within a biography of his parents. Fleming is a noted historian and the biography contains a number of insights relating to the Hague Machine, painting a vivid picture of boss Hague's arrogance and inability to change with the times, coupled with his presiding over a machine riddled with petty jealousies and inefficiencies. Yet Hague's machine

¹⁷⁶ The Prince of the City page. www.nytimes.com/2005/07/10/books/chapters/0710-1st-siegel.html (Accessed on 13.10.2008.)

¹⁷⁷ Thomas Fleming. *Mysteries of My Father*. (Hoboken, New Jersey. 2005. John Wiley and Sons Inc.) p.195.

endured. Perhaps the cause of its longevity was as much a feeble opposition as Hague's inherent strength and his manipulation of machine politics.

There appears to be a direct correlation between the stability of machines and the longevity of the bosses. Both Pendergast and Hague remained at the pinnacle of their respective machines for many years. Whilst Thomas Fleming might argue that, internally, the Hague machine was akin to a bear garden, there is no doubt that Jersey City business and politics seemed to continue undisturbed under Hague's rule. Likewise, as discussed in chapters 6 and 7, Pendergast ruled virtually unchallenged until shortly before his downfall in 1939. In Boston, James Curley ruled the Democratic machine unchallenged from 1914 to 1947, as democratic fortunes in that city prospered. In contrast, the Chicago Democratic machine of the 1930s was a hotbed of rivalry and faction as Mayor "Big Ed" Kelly, Tony Cermak and Pat Nash held the boss's position temporarily. It was not until 1941, when Richard Daley took over the Chicago Democratic machine that normal business was resumed.

It needs to be recognised that many of a boss's fundamental techniques were perfectly legal. For example, as Michael Johnston suggests, the successful boss sought to exercise strong party discipline.¹⁷⁸ Clearly, such discipline would be essential, especially at election time, although bosses did not necessarily rule with rods of iron. For example, for many years Pendergast left Kansas City Fourth Ward business to the discretion of its leader and his former business partner, Casimir "Cas" Welch.

Besides delegation, a successful boss made full use of pragmatism and networking. The former, in the ordinary usage, refers to behaviour which temporarily sets aside one ideal to pursue a lesser, more achievable goal, something which stresses practical consequences. The latter is the operation of a complex social and business

¹⁷⁸ Johnston, *op cit*, p.37.

structure consisting of individuals and organizations tied by one or more interdependency, such as financial exchange or political expediency. Networking ensures that the boss's goals are perceived as beneficial by other influential individuals and groups.

Examples of Pendergast's pragmatism are demonstrable. In his relationship with William Nelson, editor and publisher of *The Kansas City Star* from 1880 to 1915, two men from different sides of the political divide were both city builders and "practical individuals."¹⁷⁹ They cooperated on numerous projects, such as the comprehensive park system, even though Nelson used his newspaper to criticise Pendergast and his machine. Years later, in 1931, as undisputed boss of Kansas City, Pendergast cooperated with Republican Conrad Mann, the President of the Kansas City Chamber of Commerce, to support a \$40 million bond issue. Over a ten year period, new public buildings and roads would be constructed in Kansas City and Jackson County. Both Pendergast and GOP businessmen, known as the Committee of One Thousand, supported the bond politically and financially. A referendum was held to approve the bond, referenda being one of the Progressive reforms introduced in the 1925 Kansas City Charter. The machine made sure the proposal passed by the requisite majority. Here is another example of both Pendergast's political pragmatism and business acumen at its best. Not only did he ally himself with Republicans to ensure a political measure would have requisite financial backing but he made sure his machine would share in the profits over a long period. According to Larsen and Hulston, "the city projects generated abundant business for Pendergast companies, especially Ready Mixed."¹⁸⁰ Interestingly, the archives at Western Historical Manuscripts hold many records of the so-called Ten-Year Project but there is no

¹⁷⁹ Larsen and Hulston, op cit, p.38.

¹⁸⁰ Larsen & Hulston, op cit, p.88.

mention with who contracts for the works were placed or at what price.¹⁸¹ Further, the archives contain no reference to Pendergast or his machine in relation to the Ten-Year Project.

As for networking, Pendergast learned early in his career the value of the boss's role as broker, as he merged political and business interests to his benefit. The fact that many New Deal programmes, such as the Works Progress Administration, were operated and managed locally through the Pendergast machine is evidence of such networking skills.¹⁸² His prowess as a broker and networker is also demonstrated by his negotiations in the settlement of the fire insurance premium litigation, fully explored in Chapter 9.

The American boss system operated in a two-fold manner, open and downward to the poor, closed and upward for the rich. Bosses paid much lip service to the poor but made their machines strong and friends wealthy by favouring the rich out of sight of the poor, thus securing machine longevity. Academics have consistently failed to recognise the importance of the monopoly business magnet which, arguably, attracted bosses into machine politics in the first place. Machine politics was a means to an end, namely aggrandisement of personal wealth and power. Evidence to support this contention is found in Pendergast's rise to power in Kansas City and his stamina as the city's political head for a generation.

Pendergast entered the political struggle for local government power when he arrived in Kansas City in 1889. He enjoyed the benefits of privilege and patronage through his elder brother, Jim, who was both a tavern owner in the Bottoms district of Kansas City and an alderman for its First Ward. The Pendergasts hardly featured as

¹⁸¹ Western Historical Manuscripts. Kansas City Ten Year Plan Papers, KC 272.

¹⁸² The federal government regarded it as important to manage many reforms locally, with mixed results. For example, the success of The Tennessee Valley Authority programme was tempered by the way in which racism played a part in denying work to black Americans.

Kansas City elite. They were Democrats and literally fought their way to achieve success. Tom may well have prospered without his brother's support but it certainly did him no harm. Tom's first city jobs, no doubt arranged by his brother, paid well as he learned the ropes of ward politics.

As Tom's career progressed, so did the local government of Kansas City. In 1907, a re-drawing of ward lines benefited the goats, the Pendergast faction of the Kansas City Democrats. For many years, there was a schism within the Kansas City Democratic organization as the goats, led by the Pendergasts, and the rabbits, led by future US Congressman Joe Shannon, vied with each other for power. In 1910, Tom was elected to the city council as alderman in place of Jim, who died in 1911. On Jim's death, Tom assumed leadership of the goats and sought to continue the uneasy alliance formed between his elder brother, Jim, and Joe Shannon.

In all this time, Tom was developing business partnerships and opportunities. For example, he operated the Hasty and Hurry Messenger Service with his then partner and Democratic ally, Cas Welch. He also founded the TJP Wholesale Liquor Company. His attention to business aggrandisement and detail was manifest, for example in his support for a local ordinance granting a special privileges measure to approve advertising signs, something which would benefit Republican and Democratic businessmen alike. More disconcerting, and indicative of the future conduct of a monopolistic machine boss, is that in 1911, after his election to council, "he coerced First Ward saloon owners into buying their liquor from TJP Wholesale Liquor Co. by threatening them with prosecution of code and licence violations."¹⁸³

The fragile peace between Pendergast and Shannon ended in 1915 when Mayor Jost, a Shannon ally, dismissed two goats from city patronage-dispensing jobs.

¹⁸³ Larsen and Hulston, op cit, p.60.

Pendergast resigned from the Council in protest. *The Kansas City Journal* concluded that Democratic politics faced a slaughterhouse unless Pendergast changed his mind. However, in the following year, Pendergast confounded expectations when he ordered goat followers to vote for George Edwards, the Republican candidate for mayor. Edwards defeated Jost and all five rabbit candidates lost their seats in a typically violent local election. A separatist Pendergast goat ticket elected a majority of five men to Council. In the Jackson County election later that year, goats won the primary election, gained control of the local Democratic Party machinery and swept to victory in the general election. As part of the spoils of victory, the rabbit representative on the Police Board was replaced by a goat. If an example was needed of Pendergast's emerging political acumen, leadership and ruthlessness, it was there for all to see.

The rivalry between the goats and rabbits was settled in the 1918 election when Pendergast won absolute control of the Kansas City Council. Shannon, who years earlier had agreed a 50/50 deal for patronage city jobs with the late Jim Pendergast, was forced by younger brother Tom to agree a revised 70/30 arrangement. Coincidentally, in that same year, Republican Albert Reeves was defeated in his run for state governor. Twenty years later, Reeves would sit as a federal judge in many of the election fraud trials when 259 Pendergast Democratic machine operatives were convicted of numerous and varied election offences.

As reformers sought to weaken the power of the Democratic machine, Pendergast resisted changes to the old city charter. Although voters had approved a new charter in 1908 strengthening the mayor's position, "other alteration proposals were defeated in 1917, 1918 and 1922."¹⁸⁴ However, according to Lawrence Larsen and Nancy Hulston, when Pendergast looked carefully at the 1925 proposals, he

¹⁸⁴ Larsen and Hulston, *op cit*, p. 66. The authors provide no details of the proposed reforms. Possibly, the reforms were similar in nature to those passed in 1925.

realised the new charter would be to his advantage.¹⁸⁵ Kansas City would henceforth be reduced to four wards, with a revised council having nine members, of which one was the mayor, four to be elected by ward and four elected at large. There would be nine votes in council, with measures to be approved by a simple majority. In Pendergast's words, "it ought to be as easy to get along with nine men as thirty two."¹⁸⁶ In essence, under the new Charter, fragmentation and diffusion of power largely ceased. Having used fragmentation to place itself in a position of power, Pendergast's Kansas City machine would now, in a version of poacher turned gamekeeper, cement its position in Kansas City, by placing its people at the head of the various city departments mentioned below.

By 1925, Pendergast was the leading local politician in Kansas City, securing his position not only locally and in Jackson County but within the state. In 1925, proposals were put forward for a new Kansas City charter, which would include provisions for Progressive reforms such as non-partisan elections and initiative, referendum and recall. There would be separate city departments for Law, Public Works, Fire, Health, Community Services, Water, Parks and Recreation, Finance, Personnel, and Internal Auditor, with a director in charge of each department, and each director reporting to the new city manager. Locals predicted that the new charter would put an end to boss rule in Kansas City as city employees would take control of local affairs. Inexplicably, they foresaw neither the adaptability of Pendergast to change nor his ability to turn adversity to advantage, as well as his political acumen to subvert power by controlling votes.

Pendergast, at his wiliest, saw a way to use the new charter to his advantage in two ways. First, the goats put up a slate of candidates to defeat Shannon's rabbits in

¹⁸⁵ Larsen and Hulston, op cit, p.67.

¹⁸⁶ Larsen and Hulston, op cit, p.67.

the primary and the Republican candidates in the general, thereby winning five of the eight available seats. It would be business as usual in the Kansas City Council, with the exception that Pendergast himself would no longer hold office, unlike Hague in Jersey City. Henceforth, Pendergast's official title was 'Chairman of the Kansas City Democratic Club' but no Kansas City politician or businessman considered him as other than the Kansas City boss. Second, Pendergast had Henry McElroy appointed as the city manager. McElroy (a former county judge colleague of Harry Truman) was a confirmed goat who was part of the Democratic machine and would do Pendergast's bidding. McElroy remained as city manger until 1939, conducting much city business with the machine, no doubt to mutual benefit.

Pendergast continued to develop his personal business interests using his political connections as a springboard. For example, in 1928, he established The Ready Mixed Concrete Company, a business which became infamous for its contracts to supply vast amounts of cement to the city, negotiated, of course, with McElroy on behalf of the city. Pendergast also organized The Riverside Jockey Club, whose gaming activities would have been illegal in Kansas City. However, using a legal fiction that the business was conducted outside city limits, Pendergast managed to enjoy the sport of kings without fear of prosecution, although his gambling losses at horseracing were legion.

Throughout the Pendergast era, his role as boss attracted press publicity. In March, 1932, *The Star* re-printed an article from *The Baltimore Sun* concerning the power of Pendergast's Democratic machine.¹⁸⁷ Three years later, *The New York Times* wrote of Pendergast returning from Europe "to give a lesson to Tammany Hall amateurs: 'Even if you give them Indian names, you've got to have a boss to tell those

¹⁸⁷ "As a Political Analyst Seeks Kansas City's Boss." *The Kansas City Star*. 4th March, 1932. p.13.

guys with fancy names what to do. I run the show in Kansas City’, says Tom as cold fact.”¹⁸⁸ Press criticism of Pendergast bossism appeared from time to time locally. In June, 1936, a *Star* editorial wrote that “the lug is on at city hall”, meaning the exaction of political contributions from city employees. As employees were making so-called voluntary campaign payments, *The Star* punned: “Employees are under the merit system, i.e. if they pay, they merit retention.”¹⁸⁹

In his review essay, Thomas Pegram noted that “most urban political leaders were action-oriented, unreflective men who kept few personal papers.”¹⁹⁰ In the case of Pendergast, a review of the archives held at the Western Historical Society supports this view. There are no Pendergast archives in Missouri’s archival records, although there are sufficient references to and by him within the papers of former Missouri governors Park and Stark to establish the nature of Pendergast’s relationships with these gentlemen. There are letters addressed to Pendergast from job-seekers and forwarded to governors, on which Pendergast endorsed his approval or otherwise. Pegram suggests there is a correlation between the lack of written evidence and bosses who do not dwell on their decisions, implying a lack of thought by action-oriented bosses. Far more likely, the bosses to whom Pegram ascribes such a characteristic thought carefully indeed. They knew it was unwise to leave written evidence of decisions that could be used against them in a law court.

Despite newspaper publicity surrounding Pendergast and Hague and their high profiles, academics have not sought to analyse the business interests of either and the extent to which such interests might have conflicted with or have been abetted by their political positions. Perhaps, the evidential difficulties were believed to be

¹⁸⁸ “Missouri’s Boss.” *The New York Times*. 13th July, 1935. p.12.

¹⁸⁹ “Campaign Hits City Hall.” *The Kansas City Star*. 17th June, 1936. p.4.

¹⁹⁰ Thomas R. Pegram. Review Essay: “Who’s The Boss?: Revisiting the History of American Urban Rule.” *Journal of Urban History*. September 2002., 821-835. p.826.

impassable. Both Hague and Pendergast were heavily involved in business, not merely as brokers (as William Munro suggested) but as principals, habitually in direct conflict with their positions as de jure or de facto city officials. Frank Hague earned a yearly salary for his role as mayor in the region of \$8,000 and had no declared business interests yet demonstrably lived well above his income. John Farmer, the chief political correspondent with *The New Jersey Star-Ledger*, became a cub reporter shortly after Hague retired. He believes that Hague made his money lawfully but through means which George Washington Plunkett would have classified as “honest graft”. In my interview with Farmer, he explained the paradox of Hague’s income:

“How he [Hague] made his money and the way he made his money was not as illegitimate as people think. When he became Mayor in 1917 and took over Jersey City, the southern part of Jersey City was all farms, what they called Greenville.

“He had a great friend, a brilliant lawyer named John Milton, who was the corporation counsel to the City Council of the day. What they [Hague and Milton] did was to form dummy corporations. Hague’s name or Milton’s name were kept out and what they would do is go in and buy up these little farms.

“It’s almost a third of Jersey City now and they bought it up piecemeal in the name of different corporations, Milton’s and Hague’s corporations. Because he was the mayor he could see what was ripe for the picking and what wasn’t. They bought this land and sold it. They sold it, we’re talking about almost a third of Jersey City. They sold it for development, sold to steel companies that were moving in.

“Hague was a multi-millionaire and not all of it was illegal. He used his position and it certainly would have been unethical. And of course they [Hague and Milton] used the profits from the sales by investing in the market and it started in 1917.

“Hague ran the bull markets in the ‘20s right to the top. Some of what he made was actually legitimate. You can question the ethics of it, as I certainly would but maybe the Republican notion that everything he did was illegal is a wrong one. It does not stand up. The vote stealing was something else.”¹⁹¹

¹⁹¹ Interview with John Farmer on 12th September, 2006 in New York City.

Likewise, Pendergast's business dealings were equally suspect, although not necessarily illegal. Rudolph Hartmann has listed a number of companies in which Pendergast was alleged to have had an interest. Hartmann suggests that contracts were not let by the city council for public improvement in Kansas City unless one or more of Pendergast's companies participated.¹⁹² Lawrence Larsen and Nancy Hulston have listed numerous corporations in which Pendergast held stock: "the names could have filled a small telephone book."¹⁹³ Some, if not most, of such corporations could have been investments by Pendergast acting as a passive investor, as in the stock market. However, these authors have listed names of corporations which Pendergast, whether in his name or in the names of nominees, actively traded. They included:

- Atlas Beverage.
- Boyle-Pryor Construction.
- Centropolis Crusher.
- Commerce Coal.
- Dixie Machinery and Equipment.
- Eureka Petroleum.
- Frazer Distilling.
- Gidinsky Construction.
- Glendale Beverage.
- Glendale Sales.
- Kansas City Concrete Pipe.
- Kansas City Limeolith.
- Massman Construction.
- Mid-West Pre-Cote.
- Midwest Asphalt Material.
- Mid-West Paving.
- Missouri Asphalt.
- Missouri Carriage.
- Missouri Contracting.
- Pen-Jas Oil.
- Public Service Quarries.
- Ready Mixed Concrete.
- Ross Construction.
- Shawhan Distilling.
- T J Pendergast Wholesale Liquor Company.
- The City Beverage Co.
- The Sanitary Service Company.

¹⁹² Rudolph H. Hartman. *The Kansas City Investigation: Pendergast's Downfall 1938-1939*. (Columbia and London. 1999. University of Missouri Press.) p.13.

¹⁹³ Larsen and Hulston. op cit p.86.

Welch-Sandler Cement.

Pendergast's myriad business concerns, from liquor to construction and from oil to transport, were well known during the 1920s and 1930s. The businesses may have been diverse but their collective stranglehold on business dealings with Kansas City and its contractors are a part of what made the machine a business monopoly.

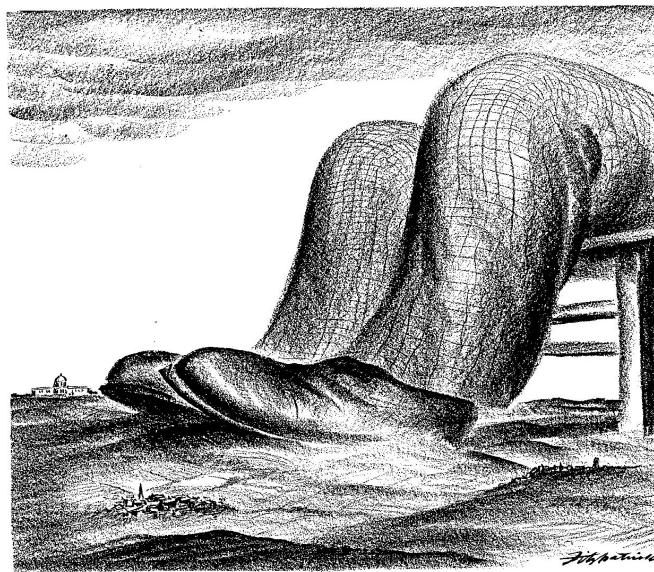
During the Pendergast era, his role as boss attracted press publicity outside Missouri, as has been indicated. In a February, 1932, editorial, *The New York Times* wrote of "Tom Pendergast, dictator of the Democratic Party in Kansas City whose dominance was a bitter pill for many Democrats to swallow and that when there is no election, he is a businessman."¹⁹⁴ Crucially, however, the conduct and structure of the Pendergast business empire was not questioned, whether by the press or the local or state business regulatory authorities.

If Pendergast formed so many corporations in an effort to avoid tax which, distinct from tax evasion, is a perfectly legitimate aim, he would have formed a holding company, probably Delaware based, to minimise tax liabilities. Another reason for forming a holding company would have been to take his business empire public and maximise profits from shareholdings. Of course, there was no such structure. It would have drawn Pendergast into accountability issues with other shareholders. The probability is that Pendergast had numerous business partners who provided much of the capital needed for the business in question. Partners would have been willing to share profits with Pendergast in exchange for his influence and connections.

In addition, Pendergast had his own businesses, for example Ready Mixed Concrete, which transacted business with Kansas City both directly and indirectly by

¹⁹⁴ "Missouri Machine Rivals Tammany". *The New York Times*. 21st February, 1932. p.B5.

supplying cement both direct to the city and to independent contractors with the city. The legitimacy of such business practice must be doubted merely because of Pendergast's political influence with Kansas City and its managers, most if not all of whom owed their jobs to him. An officer of many Pendergast companies and nominee shareholder, Edward Schneider, committed suicide after testifying to a federal grand jury about Pendergast's financial dealings.¹⁹⁵ Possibly, Schneider may have been driven to suicide by the pressure put on him by prosecutors, rather than by his own guilt. However, the price paid by Schneider infers that at least some of Pendergast's business dealings, in which Schneider was implicated, were criminal. Also, as related in Chapter 9, Pendergast himself was imprisoned in 1939 after pleading guilty to income tax evasion.



BOSS PENDERGAST, CONSULTATIONS BY APPOINTMENT.

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¹⁹⁵ It is a legitimate business practice for a shareholder to hold shares as nominee for a principal, unless the principal is seeking to evade tax or engage in an illegality. Pendergast decided to hide his identity in relation to certain corporations but no reasons have been ascribed for this by Larsen and Hulston or other biographers.

It is striking that the press concentrated on Pendergast's political face as boss while virtually ignoring his role as businessman. The "Fitzpatrick" cartoon on page 124 amply demonstrates the artist's view of a huge Pendergast political stronghold looming over both a miniature Kansas City immediately under his feet and the state capitol in the distance.¹⁹⁶ If the local press had a duty to hold the machine and its boss accountable for their collective actions, it failed and it is significant that the cartoon was published in St. Louis, not Kansas City. Evidential difficulties might have been the cause of lack of press criticism. If the Pendergast business was legitimate, there was nothing to report but if it was suspect or corrupt, who would provide the evidence? Businessmen involved in the corruption would stand mute for obvious reasons. Disaffected businessmen would stay silent for fear of reprisal. By concentrating on politics, the press failed to see that machines were essentially apolitical, in that the ideological political element of machine operations was virtually non-existent and that day-to-day politics was a subordinate means to the ends of promoting machine business interests except at election time, and providing more wealth for the boss.

Pendergast was one of the most formidable American city bosses of the inter-war years. Rivalled, arguably, only by Hague, Pendergast wielded enormous power both locally and within his state. He had learned his trade from his brother and expanded upon that base by adapting old ways of conducting politics and business so that he rewarded as well as received, albeit in unequal proportions. He also demonstrated a willingness to accept change and turn it to advantage, as witness his reaction to the 1925 Kansas City charter. He maintained good relationships with all political elements so that he could do business with his opponents while still defeating

¹⁹⁶ "Boss Pendergast, Consultations by Appointment." *The St. Louis Post Dispatch*. 28th July, 1937.

them politically. In many respects, he exercised power to benefit the many, not just the few, although the suggestion that he was a Robin Hood figure is sentimentally simplistic.

In June, 1936, Pendergast suffered a heart attack. Two months later, he had abdominal surgery. Although he recovered well from his illnesses, he decided to delegate the day to day running of the machine to his nephew, James. The *Democrat* reported that the boss “has not quit as head of the Pendergast organization and will be consulted on broad policy.”¹⁹⁷ In this context, ‘broad policy’ meant running the Pendergast business affairs, not political policy. Other machines in similar circumstances would have experienced a challenge to their leadership, as occurred in Jersey City when Hague stood down in place of his son. In Kansas City, there was no such challenge. Pendergast’s organizing ability and his strong hold over his machine must be credited for this peaceful transition.

Pendergast’s consolidation of power in Kansas City over such a long period illustrates a general principle: if there was diffusion or fragmentation of power in the city, the environment existed to create the need for a political party machine. Different authorities for public health, education, and the numerous services calling upon a city to provide resources meant possible conflict and lack of accountability. In contrast, a party machine’s internal form, where power was centralised and located in ‘the boss’, who had the freedom and flexibility to work behind the scenes to get things done, might prove attractive to a majority of voters. From the voting records, there seems to have been little objection to profits attracting a boss and generating a wealth of business and job opportunities.

¹⁹⁷ “Active Leadership to Jim Pendergast.” *The Missouri Democrat*. 4th December, 1936. p.1.

There is a downside to personal longevity. In Pendergast's case, it bred a level of contempt within the machine, as demonstrated by Chapter XIV of the Hartmann Report.¹⁹⁸ In Hague's case, he thought he could impose a poorly prepared and unsuitable successor to the Jersey City machine. In summary, it does no harm for the boss to enjoy a cult of personality if he has the charisma to carry it but the machine will be damaged if succession cannot be assured.

¹⁹⁸ Chapter XIV of the Report cites the case of Harry and William Rosenberg who "put their fingers in the pie and obtained some of the fruits for themselves" without Pendergast's consent or approval.

Chapter 5.

“A Patron is one who looks with unconcern on a man struggling for life in the water, and, when he has reached ground, encumbers him with help.” Samuel Johnson.

Patronage: The Boss’s Political Capital and Private Profit.

In the nineteenth century as the urbanization of America increased, local governments expanded their services in response to needs of the growing population. Randall Holcombe and Donald Lacombe’s study of the growth of nineteenth century local government establishes that expenditures at all levels of government increased substantially, with local governments spending more than either the states or the federal government.¹⁹⁹ The nineteenth century republican ideals of limits on federal and state government activities, coupled with liberty for the individual, resulted in the greatest pressures being exerted at local level to provide services. In fact, expenditure by local government tripled over the period studied by Holcombe and Lacombe, as growth continued until World War I. With enormous funds passing through the coffers of local government, it is hardly surprising that businessmen became attracted to the inner working of local politics.

The potential of lucrative power-dealing led to the formation of political party machines as the norm in local government. Furthermore, the businessmen’s requirements from city government, such as licences, franchises, monopoly rights and permits, were another crucial factor in the evolution of machines, as American commerce expanded. During the 1920s and 30s, a symbiotic relationship between municipalities and machines solidified. As discussed below, each needed the other to function. Historians have not noted in any detail that the levels of business conducted

¹⁹⁹ Randall G. Holcombe and Donald J. Lacombe. “The Growth of Local Government in the United States from 1820 to 1870.” *The Journal of Economic History*, Vol. 61, No. 1. (Mar, 2001), pp 184-189.

from the offices of bosses like Pendergast and Hague, in their capacity as public figures, reduced during their period of power. Indeed, the reverse seems to be true. The Great Depression era would have placed huge pressures on machines, for example, to find jobs and to administer New Deal programmes; the apparent popularity of both Pendergast and Hague amongst their supporters gives a strong indication that such jobs were found. The exercise of power to find jobs was one of the elements in a system better known as ‘patronage’.

Given that patronage was, when properly used, a legitimate exercise of political power, this chapter will consider conflicting academic definitions of the term and will offer a definition of patronage when applied to political party machines. In doing so, it will explore the legal boundaries of patronage and the relevance of interaction between local politics and local business. It will analyse the importance of patronage for its beneficiaries and the obligations imposed on the latter as a result of patronage acceptance. Using the Pendergast machine as a case study, Pendergast’s dispensation of patronage to fortify his business and personal interests will be considered alongside its abuses. The chapter will assess the value of a boss being able to call upon a ‘pocket governor’ in relation to state-wide patronage and compare and contrast Pendergast’s relationship with governors Park and Stark. It will also consider the costs of patronage to society at large and the hazards of patronage when in the hands of a boss. Finally, it will explain how future President Harry Truman (1945-1953) was able to accept patronage from Pendergast without unduly compromising himself and how Truman avoided the permanent stain of being a lackey of the Kansas City machine.

To grasp the importance of patronage as a weapon in the political machine boss’s armoury, it is essential to establish a workable definition. There are academic

differences of opinion. P. J. Madgwick defines patronage as: “power to award appointments, contracts and other favours. It is used to secure politically compatible political advisers and high executives, to reward party workers, to secure support and for personal profit.”²⁰⁰ Madgwick adds that all but the last, personal profit, are acceptable elements in American politics. The political dimension summarises machine use of patronage to a limited extent, namely the award of jobs, contracts and favours, and rewarding party workers. The reference to “securing high executives” is superfluous in machine politics terms, when the boss is in charge. Furthermore, there is no imperative within machines for political compatibility, as those seeking patronage would likely compromise their political beliefs, whilst those granting patronage would subsume their political affiliation and ideology, if any, to achieve what is in the best business interests of the machine.

The definition of patronage by Edwin Amenta and Theda Skopel is closer to the machine template. They define patronage as “benefits that can be divided amongst constituents or timed with political discretion, or both, in opposition to automatic benefits accruing to large categorical groups.”²⁰¹ For the boss, the greater the discretion involved in benefits conferred, the greater the element of patronage creating the obligation upon a conferee. The Amenta and Skopel definition touches on the power of the boss to reward or withhold patronage favours, not merely unequally but even unfairly.

Bruce Stave explains how patronage means much more than providing jobs to party workers and constituents.²⁰² Not only would loyalty be engendered in party workers through the use of patronage but votes would be assured on a group basis,

²⁰⁰ P. J. Madgwick, op cit, p.x.

²⁰¹ F. G. Castles (ed), “The Comparative History of Public Policy”. Edwin Amenta and Theda Skopel. *Explaining the Distinctiveness of American Public Policies in the Last Century* (Cambridge. 1989. Polity Press.) p.295.

²⁰² Stave and Others, op cit, p.297.

where those who benefited from patronage, albeit that they came from different classes and background, became united behind a political machine. Indeed, Stave suggests, patronage played a key role in implementing the group political ethos and developing loyalty amongst socio-cultural groups and the party. For the boss, the larger the loyal group following, the greater the assurance of power.

In 1883, the US Congress passed the Pendleton Civil Service Reform Act, in an attempt to place on merit a majority of federal employees in their civil service jobs. The Act did not apply to state and municipal jobs, which remained in the gift of governors, senior state politicians, aldermen and, subsequently, political machine bosses. Consequently, selections remained open to abuse. Patronage abuses by political party machines and the use of patronage by party bosses might at first seem to be unlawful. However, the exercise of political patronage has always been regarded as legal. Indeed, the 1976 Supreme Court ruling in *Elrod v Burns* recognised beyond doubt that the practice of patronage was within the law in given circumstances. The Court accepted the definition of patronage as “generally, the allocation of discretionary favours of government in exchange for political support”. Whilst the Court held that use of patronage for the discharge of non-policy making, non-confidential public employees, solely on the grounds of political affiliation violated First Amendment rights of association and expression, the Court expressed that such rights did not extend to government contractors.²⁰³ Therefore, it was implicit in the decision that policy-making or confidential public employees were not protected by First Amendment rights and that hiring and firing through usual patronage or Jacksonian ‘to the winner the spoils’ dicta was lawful.

²⁰³ Thomas G. Dagger. “Political Patronage in Public Contracting.” *The University of Chicago Law Review*, Vol. 51, No. 2. (Spring, 1984), 518-558. p.518.

All the above definitions and the ruling in *Elrod* relate solely to the political element of machine patronage. They do not address the complex interaction between local politics and local business within a political party machine, both of which elements are essential for its continuing successful operation. Put simply, the political element secures election victories. The business element pays machine obligations and secures profits for its leaders. Therefore, the working definition of patronage, when applied to a political party machine such as Pendergast's in Kansas City, could be:

‘The power to confer municipal benefits in unequal shares upon party and city workers and machine members in both the political and business interests of the boss/patron, regardless of whether the city will benefit from the exercise of such power.’

F. A. Hermens suggested that the most important device that constituted the social basis of machine rule was political patronage.²⁰⁴ Hermens explained that people were often appointed to city jobs, not for their ability but in remuneration of political services, past, present and future. Appointees would be loyal to the machine, without which they would not be employed. Beneficiaries of patronage would also know that if they were disloyal, their jobs would be in danger. This indictment, especially in relation to the Pendergast machine, was probably well observed. In the Kansas City Police Department, more than 700 jobs were available through machine patronage.²⁰⁵ However, to give Pendergast his due, when a man to whom he offered an unsolicited appointment as a highway engineer said he would not be beholden to anyone, “Pendergast retorted: ‘Did I ask you to be beholden to me or anyone else? You fit that bill and that’s all I ask of you.’”²⁰⁶

²⁰⁴ Hermens, op cit, p.386.

²⁰⁵ Jan Lelain Lorenzein. *Kansas City, Missouri, Newspapers of 1932 and the Pendergast Political Machine*. (University of Missouri-Kansas City, 2003.) p.83.

²⁰⁶ Larsen and Hulston, op cit, p.95.

The strong likelihood is that the majority of funds elicited through patronage and paid to the machine emanated from businessmen who wished to transact business with the city. According to Wolfinger, “it was commonplace for city or party officials to advise prime [i.e. main] contractors about which local subcontractors and suppliers to patronise.”²⁰⁷ In Kansas City, main contractors would almost certainly enter into sub-contracts with one or more of the many companies owned or controlled by Pendergast, such as Ready-Mixed Concrete Co. When a main contractor was entering into terms to construct a municipal building in Kansas City, he would likely have been encouraged by senior city employees or machine operatives to enter into sub-contracts with machine-connected companies and to purchase the requisite performance bonds through an insurance agency recommended by the Democratic Party Committee, such as the strength of local patronage. Accordingly, patronage power would result in price-fixing and removal of competition, to the detriment of the taxpayer.

Martin and Susan Tolchin believe the patronage system ensured that political ideology played a relatively small role in the decisions of government. “Political rhetoric often concealed the hard, cold, unemotional realities of men and their ambitions meshing into place.”²⁰⁸ Thomas Dagger puts the position slightly differently. He argues that “patronage interferes with the uninhibited, robust and wide-open discussion of public affairs.”²⁰⁹ Michael Johnston agrees. He suggests that a political machine has less to do with policy and administration and more with how rewards and incentives are distributed within a patron-client organization.²¹⁰ Lester Maddox, governor of Georgia in the late 1960s, said of patronage: “It is necessary if

²⁰⁷ Raymond Wolfinger, op cit, p.367.

²⁰⁸ Martin and Susan Tolchin. *To the Victor...Political Patronage from the Clubhouse to the White House*. (New York. 1971. Random House.) p.9.

²⁰⁹ Dagger, op cit, p.522.

²¹⁰ Johnston, op cit, p.385.

you want to put politics first. If you want to put government and efficiency first, it is not.”²¹¹

None of the foregoing observations are surprising if viewed in the context of a political machine as a business monopoly, managed as if it were the personal fiefdom of the boss. Preferring and rewarding people unequally, rather than as a group, is an established man-management technique to inspire both loyalty and fear. Where the group is sufficiently large to expect internal competition on a daily basis, the boss may find the device of divide and rule more advantageous than employee harmony and contentment. Such is the nature of politics in a business. However, businessmen of the 1930s were inclined to be conservative and seek status quo or “business as usual”, rather than accept change in the name of efficiency and benefit for a wider group. Hence, there were bound to be tensions between the politics and business elements within the machine, particularly at election time when politics was likely to prevail. A successful boss might prefer to resolve disputes privately and calibrate his response to particular circumstances.

Apart from being a source of income for and loyalty to the machine, the benefits of patronage to both the boss and the machine were manifold. First, patronage ensured large numbers of votes by city and party workers. Even before the New Deal, Pendergast was reported as someone who would provide plentiful numbers of jobs. In 1932, the voters of Kansas City supported a 10-year bond of \$40million for new municipal buildings. *The Star* reported that Pendergast’s office was “the City’s labour bureau as hundreds of men lined up seeking jobs financed by the 10-year Bond.”²¹² Therefore, the machine could count on a large support block vote at each election in an alliance of Pendergast’s self-interest and the self-interest of numerous job seekers.

²¹¹ Tolchin and Tolchin, op cit, p.89.

²¹² “To Big Boss for Jobs”. *The Kansas City Star*. 6th May, 1932. p.2.

Second, with numerous patronage appointees, party organizations could readily respond to the needs of poor people and administer relief programmes whilst turning the position to huge personal advantage. New Deal federal relief programmes administered locally, such as the Public Works Administration and the Works Progress Administration, played into the hands of bosses like Pendergast. According to Richard Kirkendall, “few, if any, Missourians benefited more from the New Deal than Kansas City’s political boss.”²¹³ Matt Murray, the WPA Director in Missouri confirmed that “Boss Tom exercised the federal work relief programme in Kansas City and across the state to his benefit.”²¹⁴

Pendergast’s efforts met with enormous success. Unemployment rates in Kansas City in the 1930s were substantially lower, not only than the rest of the state but also most of the country. During a period when the national unemployment average rate reached 25%, unemployment rates in Kansas City were 2.9% in 1930 and 2.7% in 1940. If a comparison is made in-state, unemployment rates in St Louis rates were 5.8% in 1930 and 5.13% in 1940.²¹⁵ This is good evidence to establish that the Kansas City machine looked after both its poorer citizens, as well as the middle classes who had lost their jobs in the Great Depression. The machine kept them in work and alive.

Not all jobs within Kansas City were within Pendergast’s gift. The state governor held a great deal of patronage power, thus it was immensely advantageous for Pendergast to have a governor in Jefferson City who owed his position to the boss. In 1932, the Pendergast machine had endorsed Francis Wilson, the Democratic

²¹³ Richard S. Kirkendall. *A History of Missouri. Volume V. 1919-1953*. (Columbia, Missouri. 1986. University of Missouri Press.) p.160.

²¹⁴ Timothy K. Evans. ““This Certainly Is Relief!”: Matthew S. Murray and Missouri Politics During the Depression.” *Missouri Historical Society Bulletin* 28. (July 1972). 219-233. p.223.

²¹⁵ The U.S.Census for 1930 and 1940. <http://www2.census.gov/prod2/decennial/>. (Accessed 4th August, 2008).

machine's chosen gubernatorial candidate. Very shortly before the election, Wilson died unexpectedly and was succeeded by Judge Guy Park, a little known lawyer and Pendergast stooge, who was elected by a landslide due to the machine's illegal voting practices. During Park's term as governor, his office became known as Uncle Tom's Cabin, so often were its privileges made available to Pendergast.²¹⁶

There is ample evidence in Park's archives of his working relationship with Pendergast. As one example of many such letters, on 12th May, 1933, Mr. C. M. Reid of the Aurora Democrat Committee wrote to Pendergast, recommending Mildred Liles Walters as qualified to hold a good position. "Lawrence County has not been taken care of in a political way...and Mrs Walters is due a great deal of credit for this work." In red ink on the letter, there is a note: "Dear Governor. Please help Mrs. Walters. She is deserving. [Signed] T. J. Pendergast."²¹⁷ Mrs Walters was employed, presumably because she could be relied upon to take care of things "the political way".

The relationship between Pendergast and Park was mutually beneficial. Park's duplicitous nature probably appealed to the politician in Pendergast. On 2nd November, 1933, Park wrote to Pendergast, recommending Mr. Harold Miller for a job. Later that month, Park wrote to Mr. Henry Jamison in response to the latter's request for an endorsement to Pendergast: "I have made it a practice not to write letters of recommendation for anyone."²¹⁸

²¹⁶ Reddig, op cit, p.202.

²¹⁷ Western Historical Manuscripts Archive. Guy Park Papers: Collection C. 8. Folder 76.

²¹⁸ Western Historical Manuscripts Archives. Guy Park Papers: Collection C. 8. Folder 1668.

Park owed his position as governor to Pendergast. In exchange, during Park's term of office, Pendergast enjoyed an influential position behind the scenes in the state executive as well as the legislature. Fitzpatrick's cynical cartoon below illustrates the artist's condemnation of the relative power imbalance between Pendergast and the state legislature, implicitly also the state executive.²¹⁹ It should be emphasised that the cartoon was published before Colonel Guy Stark took over as governor.



"YES, MR. PENDERGAST."

5-1-37

5/1/37

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Missouri governors were term limited in the 1930s, thus Park retired in 1937, to be replaced by Stark. Relationships between Stark and Pendergast were prickly.

²¹⁹ "Yes, Mr Pendergast." *The St Louis Post-Despatch*. 5th January, 1937.

Stark had sought Pendergast's endorsement for governor in 1932 and for the U.S. Senate in 1934. On both occasions Pendergast declined to give it. In 1936, Stark ran for governor with considerable support from outside Kansas City and Jackson County. Reluctantly, Pendergast endorsed Stark. Pendergast's reservations about Stark were soon borne out. Shortly after taking office, Stark refused to consult with Pendergast on patronage appointments. *The New York Times* reported that "Stark is displaying political independence by not consulting with Pendergast on a single appointment", although Stark said that Pendergast would receive his full share when appointments were started.²²⁰ Nevertheless, Stark had challenged Pendergast openly on an important element of patronage power, weakening Pendergast politically.

Stark's position on patronage was made clear in his letter of August 13, 1937, to Chas D. Brandon, Chairman, Daviess County Democratic Central Committee:

"The policy [on method of handling patronage] we are trying to follow is: Every applicant for a position, including those in office and those applying for new jobs, must have the endorsement of their County Chairman, Representative and Senator, if the Representative and Senator are Democrats. They must make application for definite positions in one to three departments. At the proper time, I intend to take up various departments, one at a time, study the applications, both new and old, and decide who I will recommend to continue in office."²²¹

Stark was setting himself up in direct opposition to Pendergast on the important issue of patronage power. Not surprisingly, *The Democrat* took Pendergast's side:

"After pleading for twelve years for Pendergast's endorsement, now Stark castigates that influence. The Kansas City leader asked only for fair patronage deal for all counties and the Governor agreed but has repudiated his promise."²²²

The true position was that Stark had instigated new procedures for appointments to ensure that the best applicant would get the job, regardless of any champion he or she might have. Thus Pendergast faced a dilemma of fighting or dealing with Stark.

²²⁰ "Governor Stark Jolts Party in Missouri". *The New York Times*. 21st February, 1937. p.58.

²²¹ Western Historical Manuscripts Archives. Guy Stark Papers. Collection C4. Folder 70.

²²² "Stark Pledges Unveiled." *The Missouri Democrat*. 29th July, 1938. p.12.

Pendergast needed political clout to run the machine business successfully. Without retaining patronage power, his hold on the machine might weaken. In turn, the ability to win election after election would be questioned. In business terms, spending patronage to win every election equated to trying to corner a market. In the early stages, the commodity of the 'corner' would be inexpensive but as time progressed, the price would naturally increase, demand being obvious and supply either limited, uncontainable or uncontrollable. Likewise, the cost of patronage to the boss would become dearer. Therefore, Stark's actions would have pressurised Pendergast to an enormous extent.

It is also probable that Stark's animosity towards Pendergast was personal. In a telegram dated August 2nd, 1938, Stark wired President Roosevelt: "We have crushed the Pendergast machine by a landslide majority."²²³ Yet all three men were members of the same political party. Personal enmity seemed to count far more than party loyalty. If national Democratic Party leaders were keen on seeing the Kansas City machine defeated, as they may have been by 1938, it is possible, in part, because Kansas City suffered from numerous patronage costs.

James Pollock has constructed the theoretical costs of patronage under three headings: moral loss, political party loss and public administration loss.²²⁴ The moral loss equates to lack of confidence in government where the public assumes that public office involves a sacrifice of one's political ideals and principles and that elections are ugly struggles for place. Here, Pollock's construct seems limited. By the 1920s and 1930s, those who were elected or appointed to public office would or should have known that compromise was the essence of politics and government. It was not definite that personal ethics or standards would have been compromised but, plainly,

²²³ Western Historical Manuscript Archives. Guy Stark Papers. Collection C.4. Folder 6371.

²²⁴ James Kerr Pollock. "The Cost of the Patronage System." *Annals of the American Academy of Political and Social Science*, Vol. 189, (Jan., 1937), 29-34. p.20.

government was a difficult business where hard decisions had to be made. As for the observation on political party loss, the same allegation could have been made regarding corrupt senate elections in imperial ancient Rome. However, to the extent that Pollock's observations relate to public opinion, he is right. The disillusionment among some of the Kansas City voters of the 1930s must have reached enormous proportions as local elections displayed increasingly widespread Kansas City machine tactics of intimidation, violence and ballot rigging to secure the desired result for the local party.

Pollock believes that political party losses arose through lack of time for discussion of public policy, because bartering for jobs took precedence. He considers the incompatibility between spoils on the one hand and proper party activity on the other. There is indeed ample evidence that public policy discussion was stifled by machine politics. Pollock argues the final point on public administration in terms of cost of turnover in public service, for example by breaking in new, inexperienced employees, loose payroll practices, payroll padding and absence of careful supervision. In addition, there would be political interruption in election years when public employees were seconded to patronage matters and raising campaign funds. Here Pollock's arguments are pertinent, so far as Kansas City is concerned. Yet there is no evidence that levels of public service in Kansas City suffered unduly as a result of costs.

Johnston, too, lists potential problems involved in patron-client politics.²²⁵ First, patronage jobs, as divisible material incentives, are awkward and inflexible tools for maintaining an organization. He suggests such jobs are much more useful in starting an organization than in adapting it to changing circumstances. Second,

²²⁵ Johnston, *op cit.* p. 394.

networks of obligation and reward will prove more complex in practice than in theory and will be based on many standards of exchange. Third, patron-client organizations tend to age, just as people do. However, Johnston has looked at patronage solely from the political organization viewpoint. A business led by an autocrat would regard the issues Johnston raises not as problems but as positive advantages. As already mentioned, business employees are often managed on divide and rule principles, hence divisible material incentives would be standard fare. Top and middle management personnel would expect to receive advancement based on results and their abilities to 'work the system'. The complexity of networking would be an issue that an experienced machine or business boss would welcome, as it favoured centralization within a pyramid structure, hence facilitating rewards. As for the aging issue, the skill of the boss in managing succession would be tested in any organization, whether patron-client or not. To avoid this problem area, an organization might promote on a time served basis, or 'Buggins turn' as it used to be known in the British Civil Service, a practice that often would work against the best interests of the organization. There is no evidence of Pendergast following such a blueprint.

The major hazard of patronage as practiced by the likes of Pendergast was not that it created and maintained a political empire but that it blurred illegality issues whilst ensuring vast personal fortunes for machine leaders at the public's expense. Equally seriously, it encouraged public officials to compromise public interest for private gain. Pendergast built a political empire in Kansas City, as well as a vast personal fortune, as detailed by Lawrence Larsen and Nancy Hulston.²²⁶ At the same time, he was corrupt and the corruption spread to those around him like a virus. For

²²⁶ Larsen and Hulston, *op cit*, pp 78-80.

evidence of a public official who allowed himself to be led by Pendergast to compromise public interest for private gain, one need look no further than Emmett O'Malley, the Insurance Superintendent for Missouri, whose underhand actions and downfall, with that of Pendergast, is set out in Chapter 9.

However, Harry Truman was a public official who rose above the corruptive influence of Pendergast's patronage but whose reputation was compromised by that association. Truman's progress from infantry captain in World War I, to failed businessman in Independence, Missouri, to election to County Judge, then the U.S. Senate and finally Vice-President and President of the United States has been documented extensively. Upon his arrival in Washington, he became known as "The Senator for Pendergast", signifying how he was viewed, both by his peers and the press, as a beneficiary of the patronage of a notorious machine boss. Truman's appearance at Pendergast's funeral shortly after being sworn in as Vice-President was cause for considerable criticism in the nation's capital but Truman's values included fierce personal loyalty which overrode fears of consequences. Truman regarded Pendergast as his friend, someone he would not abandon in death.

Truman's association with the Pendergast machine dated back to the early 1920s. He owed his political career to machine patronage, a valid example of legitimate patronage later explored in *Elrod v Burns*. As a prospective politician in Independence, he was well aware that his political career would have been short-lived without the support and patronage of Boss Tom. In his elected capacity as County Judge, an administrative, not a judicial role, Truman was responsible for the road building programme in East Missouri. His diary memoranda from the times describe the conflicts he faced within the realities of political life, between the contradictions in his identity as an advocate of good government and his allotted role as a master

machinist. An example from the diary shows his frustrated anger and the need to compromise as he wrote:

“I wonder if I did right to put a lot of no account sons of bitches on the payroll and pay other sons of bitches more money for supplies than they were worth in order to satisfy the political powers and save \$3.5 million?”²²⁷

Truman had first hand experience of the hard nature of government decisions signalled above, which may have helped him later in his career. Truman’s solution to the conflict was to give Pendergast patronage as the spoils of battle but not personally to accept bribery. As a party loyalist, he accepted the lesser evil argument, sanctioning certain practices in order to keep the party in power to further, for example, beneficial road-building programmes.²²⁸ Truman seems to have believed that Kansas City politics were cleaner than other cities because of machine leadership but that meant he chose to ignore links between the machine and organized crime, as well as a city police force corrupt at all levels.

Truman recognised an apparent weakness in his acquired position as U. S. Senator.

“I realized that attempts would be made to link my name with the misdeeds and misfortunes of Pendergast and to make it appear I was the product of a corrupt political machine. This did not bother me personally because I had an unblemished record to point to.”

That Truman benefited from patronage is not in doubt. Arguably, every Washington politician has benefited from patronage. His point was, effectively, that patronage did not equate with corruption per se and that his actions as a public figure were sufficiently strong to establish beyond doubt that he was not corrupt. Truman’s record in the US Senate and the White House might be criticised on grounds that he was the

²²⁷ Alonzo L. Hamby. *Man of the People. A Life of Harry S. Truman*. (Oxford. 1995 Oxford University Press.) p.159.

²²⁸ Andrew J. Dunar, op cit, p.7.

beneficiary of patronage and ‘stubborn as a Missouri mule’ but never that he was corrupt personally. He did not do Pendergast’s bidding for personal gain.

For many years before the advent of the Pendergast machine, patronage was an important aspect of American political life. Party machine bosses like Pendergast and others before him, like Tweed and Durham, used and abused the patronage system to their advantage, invariably at the cost of the public. Perhaps this occurred as a result of the complex inter-relationship between politics and business and the difficulty of balancing the two. Some public servants, like O’Malley, succumbed to the corruptive influence of patronage. Others, like Truman, did not. Patronage of itself is a lawful tool in pursuit of political influence and advantage but once the profits of business are introduced, the likelihood of abuse increases, too. It is the wielder and the recipient of patronage who should be judged by their actions, not patronage itself.

Chapter 6.

“All criticism is opposition. All opposition is counter-revolutionary.” Fidel Castro.

Challengers to the Machine: Rabbi Mayerberg, The Charter League and Fusion Movement.

From the date when Pendergast's goats beat Shannon's rabbits into submission, Pendergast had ruled Kansas City virtually without any opposition. This and the ensuing chapter consider the role of the Kansas City press in their reportage of the challenges to the Pendergast machine from 1932. Pages 26 and 27 of the Introduction list the newspaper titles examined for this thesis and describe the thriving fourth estate serving Kansas City in the 1920s and 30s. This chapter concentrates on the micro issue of two challenges to Pendergast's power. The first in 1932 by an individual, Rabbi Samuel Mayerberg, was doomed to fail from its outset. Nonetheless, it is worthwhile studying Mayerberg's challenge for two reasons. It discloses how Pendergast reacted, indeed overreacted, to a challenge to the machine that was hardly likely to put a scratch on its hold of the levers of Kansas City government or its election record. Once Pendergast felt the challenge personally, he was merciless in putting Mayerberg firmly in his place. Further, it demonstrates the extent to which *The Star* and other Kansas City newspapers were prepared to go in their reporting of a hitherto unique event in the Pendergast machine history. *The Star*, as the most influential of the Kansas City titles, was generally supportive of Mayerberg but not slavishly so. Potentially, it could have backed Mayerberg's challenge but it held back, arguably because of its relationship with the machine, a topic discussed at length in Chapter 7.²²⁹ The second in 1934, by a coalition of hopeful students and disaffected

²²⁹ Chapter 7 examines the macro issues facing the newspaper industry and, in particular, the position adopted by *The Star* towards Pendergast and the Kansas City machine.

Republican politicians, made slender headway but was also destined for failure. Study of this challenge demonstrates the extent to which the machine overreacted again in seeking to put down a more serious political challenge to its electoral might. The 1934 city election was the most violent on record in the annals of Kansas City.

Once a political party machine was established within a city, county or state under a strong leader, removal of that machine became problematic until the leader changed. It was not unheard of for a strong machine to be voted out of power, as witness the defeat in 1942 of the Talmadge machine in Georgia. Other machines disintegrated with the death of the leader. In 1935, the murder of Huey Long of Louisiana is a case in point. However, the longstanding machines led by Tom Pendergast and Frank Hague are examples of the norm. Their monopoly machines ensured boss longevity with their rich rewards. Challengers were few and far between.

One might have thought the political situation in Kansas City was ripe for press investigation and exposure. The machine held the reins of power in the executive, legislative and judicial branches of municipal government, as machine-endorsed personnel held elected office as mayor, aldermen and judges. In addition, after 1925, the machine controlled the Kansas City Police Department. Against this background, the question arises as to how an ordinary citizen would obtain protection from the exigencies of the machine. Later chapters provide the answer, namely by the actions of the federal government.

Using the Kansas City Democratic machine as a case study, this chapter will explore the virtually insuperable difficulties and problems faced by weak opponents of a machine in mounting a successful challenge to the sitting political tenant. The individualist challenge of Mayerberg in 1932 and the newly coalesced Fusion Movement in 1934 queried the Pendergast machine's hold on Kansas City. The

former was an individual whose challenge was brief and from the very outset certain to fail. The latter was a coalition of anti-Pendergast political groups, including students and liberal Republicans, whose challenge was taken sufficiently seriously by the Democratic machine to provoke one of the most violent Kansas City elections on record. The information retrieved on these challenges was derived substantially from contemporary reports in the local Kansas City press.

Save for the altercations with Shannon, until 1932 Pendergast faced no external challenges to his position, such was his cement-like grip on the levers of the political systems and business brokerages within Kansas City. Serious opposition within his machine may have occurred but there is no record of it. Indeed, there is little evidence elsewhere to establish how successful bosses met opposition to their supremacy because there were few sustained challenges. For example, Hague did not have to deal with any substantial challenge to his position as mayor. When the politically driven Case Commission investigated Hague's business dealings, Hague declined to answer questions from the Commission, was arrested for contempt but was soon freed by the local courts which were stacked with Hague-endorsed judges.²³⁰ The Case Commission died away. Presumably, Hague's considerable political influence saved him from prosecution.

By the spring of 1932, Pendergast was as secure in his position as political leader of the ruling party in Kansas City as any other city boss in America. He had not stood for election to public office for almost a decade. Former opponents had ceased to be regarded as serious rivals to his leadership. Cas Welch, Pendergast's erstwhile business partner and fellow goat, was content with his position as leader of the Fourth

²³⁰ Cook, *op cit*, pp. 117/8.

Ward.²³¹ Joe Shannon, leader of the rival rabbit faction of the local Democrats, had been a member of the U. S. Congress for two years and now rarely concerned himself with Kansas City politics. He understood that challenges to Pendergast's power were fruitless.

However, Pendergast, to his surprise, faced two tests during the 1932 and 1934 elections.²³² The first challenge came from both outside the machine and also the normal run of politics. It was an exercise in futility as Mayerberg, a maverick figure without any political support, sought to impose financial accountability on city manager McElroy and subsequently on the machine. Mayerberg had arrived in Kansas City in 1928 to lead the B'Nai Jehudah congregation. From his arrival, he displayed a social conscience, for example by speaking out in 1929 for academic freedom when several professors at the University of Missouri were suspended after an anonymous questionnaire about sexuality was distributed to sociology students.²³³

In May, 1932, Mayerberg publicly addressed the Government Study Club of Kansas City, a Republican policy group, citing political corruption in the city. Although his attack was directed neither at Pendergast's despotism nor the corrupt nature of the machine's absolute power, by this time Pendergast's political influence in Kansas City was so great that any criticism concerning the abuse of political power in Kansas City would have been regarded as a criticism of Pendergast. Mayerberg's initial focus was directed at McElroy for violations of the city charter. Mayerberg cited "the deplorable and menacing conditions which prevail in my city."²³⁴ Hitherto, Mayerberg had been a parochial rabbi and had been neither prominent nor even

²³¹ Traditionally, Kansas City Democrats were members of either the goat or rabbit factions. Pendergast supporters were goats. See Chapter 4 for a detailed account of the faction fights.

²³² See Chapter 8 for frequency of elections in Kansas City in the 1930s.

²³³ Missouri Valley Special Collections. Samuel S. Mayerberg Rabbi 1892-1964 page. www.kchistory.org/cgi-bin/showfile.exe (Accessed on 13th October, 2008.)

²³⁴ Samuel S. Mayerberg. *Chronicles of an American Crusader*. (New York. 1944. Bloch Publishing Co.) p. 118.

peripheral in Republican politics. Precisely what caused Mayerberg to commence his public ‘clean-up Kansas City’ campaign is unclear. Perhaps it was just disgust with the political status quo. Mayerberg, himself, was silent as to his motives.

On any view, Mayerberg was naïve politically. His challenge was short lived, lasting little more than three months. It suffered from poor planning and execution. Mayerberg had neither a body of allies nor, until the formation of the Charter League in June, 1932, political support. His diffusive approach was like firing grapeshot at a fortress, as he moved from one allegation to another and as he simultaneously accused various members of the Democratic machine and city officials, and implicitly Pendergast, of different violations. Possibly he felt that if he was a moving adversary target, he would be harder to hit with reprisals.

There is little secondary evidence relating to Mayerberg’s challenge. In *A History of Missouri, Volume V*, the Mayerberg incident hardly warranted a mention. He was regarded as a failure, merely Pendergast’s most notable vocal critic who was unable to check the boss’s power.²³⁵ The book does not detail or analyse the nature of Mayerberg’s criticisms. In *Pendergast!*, the Mayerberg challenge is noted briefly in general terms. He is also mentioned as declining to run for mayor in 1934.²³⁶ In *Missouri Waltz*, the author, Maurice Milligan, who was U.S. District Attorney for West Missouri from 1934 until Pendergast’s downfall, makes no reference whatsoever to Mayerberg.²³⁷ In *Tom’s Town*, there is a more serious consideration of Mayerberg and his Charter League colleagues. The book concludes that the Pendergast machine was far too strong for Mayerberg and those who would have supported Mayerberg

²³⁵ Kirkendall, op cit, p.155.

²³⁶ Larsen and Hulston, op cit, pp 105-6 and 111.

²³⁷ Maurice M. Milligan. *Missouri Waltz: The Inside Story of the Pendergast Machine by the Man Who Smashed It*. (New York. 1948 Charles Schribner’s Sons).

withered away for fear of reprisals.²³⁸ In contrast to these dismissive hindsight accounts, there is a substantial body of primary source evidence concerning Mayerberg in the local press reports. It is worthwhile considering such news stories and editorials in detail, partly to ascertain attitudes towards Pendergast himself. Of the five newspapers researched, *The Examiner*, *The American* and *The Call* virtually ignored the Mayerberg story but *The Star* and *The Democrat*, in different ways, did not.

Mayerberg's opening salvo on the 24th May, 1932, asserted that the fight against political conditions in Kansas City was just beginning. *The Star* reported Mayerberg's address that day, given to the Government Study Club:

“You have turned your city over to a gang and given it into the hands of crooks and racketeers because you are asleep. The time has come for action. The time for study has passed.”²³⁹

In his speech, Mayerberg's main complaint was the breach by McElroy of Section 124 of the Charter which provided (inter alia): “no person shall solicit...contributions or payments for any political purpose whatever from any officer or employee in the classified service of the city...”²⁴⁰

“Your city manager, H. F. McElroy, I tell you is guilty of violation of the law, and if we had a county prosecutor who was not a part of the political machine, he himself would bring the charge against this man.”²⁴¹

Mayerberg provided no evidence in support of his claim. He did not produce affidavits from city employees that political contributions were forced from them, probably because the machine's counter-argument would have been that such donations were voluntary. Indeed, it was an established practice, evidenced in Chapter 9, that city employees commonly made such donations in election year. Furthermore,

²³⁸ Reddig, op cit, pp 195-199 and 220.

²³⁹ “To Council on McElroy”. *The Kansas City Star*, 25th May, 1932, p. 1.

²⁴⁰ Annotated Charter of Kansas City, 1925.

²⁴¹ “To Council on McElroy”, op cit.

any city employee providing evidence for Mayerberg would likely have been fired. Even though Mayerberg's subsequent actions showed he was not politically astute, he would have known this. In the 24th May speech, Mayerberg also complained, in general terms, of rampant crime and racketeering in the city, without citing concrete examples. He concluded his speech, demanding the right to appear before the Council in order to submit reasons for the dismissal of McElroy. The speech was reported verbatim in *The Star*, a newspaper with a track record of sporadically seeking to embarrass Pendergast and his machine.

Mayerberg's scattergun approach found him next proceeding to make charges against County Prosecutor Page, citing that links existed between city officials, the Pendergast machine and organised crime. In the 31st May, 1932, evening edition of *The Star*, Page was said to have denied an allegation (later proved to be true) made that day by Mayerberg in a speech to the Kansas City Lions Club. Mayerberg had asserted that Page signed a parole application for Johnny Lazia, a member of organized crime and a senior Pendergast lieutenant on the north side of Kansas City. The newspaper also reported that in Mayerberg's speech that day, he had renewed charges against McElroy before the City Council and claimed the existence of a partnership between crime and politics.²⁴² The newspaper printed much of the speech verbatim, thereby giving it far greater publicity. It is possible, although unlikely, that a complicit relationship existed between *The Star* and Mayerberg with, arguably, covert support from *The Star* for Mayerberg's attack but in view of the likely tacit understanding between *The Star* and Pendergast not to rock each others boats, this is improbable.

²⁴² "A Gang Runs the City". *The Kansas City Star*, 31st May, 1932, p.1.

In his 31st May speech, Mayerberg picked on yet another target, suggesting that the appropriate emblem for the Pendergast organisation was neither a goat nor a rabbit but a skulking hyena. This was a personal attack on Pendergast himself. Mayerberg followed with attacks on Lazia, as “a powerful leader, sentenced to twelve years in the state penitentiary for highway robbery” and, finally, Pendergast again as “the big shot who cracks the whip”. Mayerberg claimed he had evidence of a \$1 million loan provided to Pendergast on collateral of only \$100,000, citing this as an example of Pendergast’s exercise of undue influence and the intimidation of the business community. He concluded the speech saying his fight was against corruption and asked “decent citizens” to help him “rescue the city government from gangsters and racketeers.” Mayerberg’s account was a narrative and he failed to explain why he kept switching targets. His style was deliberately inflammatory. Perhaps he wanted to cover as many areas of corruption as possible in order to anger as many readers as possible.

By 1st June, 1932, *The Star* openly supported some of Mayerberg’s allegations in an editorial which alleged the partisan charges against the city administration constituted “a true bill” and that the charter provisions had been ignored. However, in the spirit of fair and balanced reporting, the editorial accepted there was no evidence that major crimes were being committed under the protection of the “dominant political machine”, although there had been a disturbing increase in racketeering in recent years. It concluded that a dangerous situation arose when a political organisation had absolute domination.²⁴³ This latter observation was undoubtedly correct. However, it was the newspaper, not Mayerberg, which made it. *The Star* continued reporting on Mayerberg, writing on 7th June, 1932, that the latter would

²⁴³ “The Mayerberg Charges”. *The Kansas City Star*, 1st June, 1932, p.D.

seek a mandamus order against McElroy “for violation or neglect of official duty” as a result of partisanship.²⁴⁴ McElroy had fired registered Republicans employed by the city for no reason other than exercising their franchise. Subsequently, *The Star* published its evidence, namely a letter from Conrad Mann, President of the Chamber of Commerce, “proving that McElroy’s contention that men were not hired and fired for political reasons was a subterfuge.”²⁴⁵ No action against McElroy resulted. On 13th June, 1932, *The Star* reported that Police Chief E. C. Reppert had refused to allow Mayerberg access to police records, unless the request was made in writing, a spurious excuse.²⁴⁶ It is difficult to understand Reppert’s objection to disclose records, which according to *The Star’s* interpretation of the charter, were freely open to the public. Perhaps Reppert was either affronted by the challenge to his dignity or, more likely, told by Pendergast to stonewall.

Over the next few days, *The Star* published three stories and another editorial, concerning Mayerberg’s fight for access to records.²⁴⁷ The editorial commented how interest in Mayerberg’s “crusade” had been fanned by McElroy’s and Reppert’s refusals to open the city’s books. As a result, *The Star* reported that McElroy’s integrity was now questioned and suspicion was growing about the business operations of the Democratic machine.²⁴⁸ *The Star* openly alleged there might be collusion between McElroy, the so-called “independent” city manager, and the Pendergast machine. This was the closest *The Star* came to overtly criticising Pendergast.

²⁴⁴ A mandamus order requires a public body or official to perform a specified duty.

²⁴⁵ “Rabbi Quotes the Law”. *The Kansas City Star*, 7th June, 1932, p.3 and “Rabbi Hits Out Again”, *The Kansas City Star*, 8th June, 1932, p.2.

²⁴⁶ “A Police ‘No’ to Rabbi. *The Kansas City Star*, 13th June, 1932, p.1

²⁴⁷ “A Busy Day for the Rabbi”, *The Kansas City Star*, 14th June, 1932, p.1., “Still A ‘No’ to Rabbi”, *The Kansas City Star*, 15th June, 1932, p.2, and “The Records to the Rabbi”, *The Kansas City Star*, 16th June, 1932, p.1.

²⁴⁸ “Rabbi Mayerberg’s Challenge.” *The Kansas City Star*, 18th June, 1932, p.D.

On the 18th June, Mayerberg left Kansas City to attend a convention in Seattle. Two days later, *The Star* reported that Mayerberg was seeking legal assistance from Francis Wilson and Russell Dearmount, both attorneys and Democratic candidates for governor, in the mandamus action against McElroy. In his own account, Mayerberg makes no mention of seeking help from either Wilson or Dearmount. However, he confirmed that several Democratic attorneys “tremblingly told me they could not help me; it would mean their economic ruin”.²⁴⁹ He claimed surprise when “senior members of the legal community” refused to act for him, when he must have known that the very lawyers he approached relied on Pendergast and machine support for the success of their practices.²⁵⁰ If Mayerberg did indeed approach both Wilson and Dearmount, it showed considerable political naivety on his part. Both candidates needed Pendergast’s endorsement in their run for governor, without which their chances of winning election were either slim or non-existent, such was Pendergast’s power at that time. Pendergast’s endorsement would hardly be forthcoming if either had agreed to act for a critical opponent of “the boss”.

The next *Star* story did not appear for three weeks, when on 21st July, 1932, it merely commented that Mayerberg had returned from Seattle, eager to push the attack of the Charter League, a new citizens group, formed by Mayerberg in the early summer of 1932 with very limited popular support.²⁵¹ A week later, *The Star* reported that Reppert had again refused Mayerberg access to police records on grounds that such records were for the police only.²⁵² Under S. 121 of the Charter, Reppert had no right to refuse but the matter was resolved only when Pendergast told Reppert to

²⁴⁹ Mayerberg, op cit, p. 124.

²⁵⁰ Mayerberg, op cit, p. 124.

²⁵¹ “The Rabbi Home Eager”. *The Kansas City Star*, 21st July, 1932, p.1.

²⁵² “A ‘No’ To Rabbi Again”. *The Kansas City Star*, 27th July, 1932, p.14.

produce the records. No changes in the Police Department resulted from disclosures; machine control was too strong.

Between the 19th and 25th August, 1932, *The Star* published their last three stories concerning Mayerberg, all relating to alleged fraud by the Election Board, following the state primary elections earlier that month. *The Star* had reverted to its comfort zone, limiting its fire to anticipated machine election corruption. However, Governor Caulfield was not to be provoked by newspaper allegations and he decided to make no changes to the composition of the Election Board due to lack of evidence of election frauds.²⁵³ In the light of the 1934 and 1936 elections, the latter resulting in many successful federal prosecutions of Kansas City Democrat machine workers for election fraud, there is a high probability that Mayerberg's allegations had justification. However, in 1932, Caulfield, a Republican, seems not to have had the political will to act upon them.

The Star's support of Mayerberg should be viewed primarily as a newspaper following a newsworthy story. The reporting appears to be fair and balanced and the editorials encouraging. The coverage could be interpreted as a measure of support for Mayerberg, regardless of the silence of other local newspapers, except *The Democrat*. *The Star* probably carried the story as far as it could. It is impossible to assess the pressures, if any, that may have been placed on *The Star* by subscribers and advertisers, who themselves may have been pressured by the Pendergast machine. Nothing appeared in the editorials to indicate that threats had been received. However, the probable symbiotic relationship between *The Star's* editorial team, senior members of the Kansas City business community, mostly Republican, and Pendergast, someone with whom the newspaper and the businessmen had to do

²⁵³ "Vote Evil Serious Here". *The Kansas City Star*, 19th August, 1932, p.1. "Asks New Election List: Many Judges and Clerks are Crooked, said Mayerberg." *The Kansas City Star*, 23rd August, 1932, p.1. "Vote Board to Remain". *The Kansas City Star*, 25th August, 1932, p.1.

business, would have been regarded by *The Star's* proprietor as more important than supporting an individual complainer.

The question arises as to why *The Star* carried the story in the first place. Here, the answer may lie in Mayerberg's first target, namely city manager McElroy. Possibly, the story was taken further because *The Star's* editors were happy to poke fun at machine personnel and Police Chief Reppert, in the certain knowledge that Mayerberg would not succeed in making any appreciable dent in the machine. Once matters escalated, it is likely that *The Star* steered clear of being mixed up in openly carrying a story that would deeply offend Pendergast. At the end of the day, *The Star's* owners and Pendergast needed to rely on each other to protect their respective business interests. To this extent, *The Star* may have been compromised and unable to give Mayerberg more encouragement.

By contrast, *The Democrat* was consistently partisan during the Pendergast era. Jan Lelain Lorenzein has suggested that Pendergast sponsored *The Democrat* but he provides no firm evidence in support.²⁵⁴ Certainly, many Pendergast companies advertised in the newspaper regularly. According to *The Democrat*, Boss Pendergast and the Democrats could do no wrong. Little wonder, therefore, that it supported the machine and city administration against Mayerberg. Neither editor nor journalists at *The Democrat* were willing to engage in or even publicise the issues raised by Mayerberg. Instead, the newspaper pilloried the man, taking every opportunity to mock or denigrate him.

On the 26th May, 1932, an editorial in *The Democrat* responded to Mayerberg's original allegations. It asked, if crime was rampant in Kansas City, where was the evidence? Since the Democratic Party had not gained control of the

²⁵⁴ Lorenzein, op cit, p. 14.

Kansas City Police Department until the April, 1932 city election, how could the Democrats be responsible for increased crime? *The Democrat* alleged: “The Rabbi is a publicity seeker. He and his KKK Associates will rant to help beat the Democrats and *The Star* will spread the news.”²⁵⁵ It is noteworthy that the editorial neither addressed Mayerberg’s point concerning McElroy’s breach of the charter, nor refuted with facts the claims of increased criminal activity. Instead, it made totally unfounded allegations, such as links between Mayerberg and the Ku Klux Klan. Had the editorial alleged a direct link between Mayerberg and *The Star*, the smear might have been more accurate.

The measured *Star* editorial of 1st June, 1932, relating to breaches of the city charter, produced a fiery riposte in *The Democrat* two days later. On 3rd June, 1932, *The Democrat* printed both a story and an editorial. The former wrote of “wild statements by preachers that John Lazia is head of a Kansas City gang and mastermind behind recent terrorism”, citing an un-named but supposed victim who denied the link. The editorial characterised Mayerberg’s address to the Council as “the rabid rabbi’s diatribe”, saying Mayerberg would fool no-one and that Kansas City was singularly free of crime, except by those driven to it by desperation.²⁵⁶ Both the story and editorial were tantamount to a smear campaign, designed to denigrate an individual critical of a position favoured by that newspaper. *The Democrat* appeared uninterested in and unconcerned with fair and balanced reporting.

The Democrat published three stories on 10th June, 1932: first, that Mayerberg had appeared before the Council bringing ouster charges against McElroy solely on the grounds of his discharging registered Republican policemen; second, that *The Kansas City Jewish News* had denounced the rabbi’s mud-slinging campaign; and,

²⁵⁵ “The Rabbi and the Front Page”. *Missouri Democrat*, 27th May, 1932, p.4.

²⁵⁶ “Charges of Rabbi Lack Foundation” and “The Rabid Rabbi Talks Too Much”. *The Missouri Democrat*, 3rd June, 1932, pp 3 and 4.

third, that “Communists and Republicans are encouraging the Rabbi” and “the Jewish people of the city are incensed by his course”.²⁵⁷ All three stories were printed on the *Democrat’s* front page, perhaps giving Mayerberg more prominence than he deserved, but using Mayerberg’s own inflammatory tactics against him. The *Democrat’s* assertions, unsubstantiated by facts, indicated a disinformation strategy, probably prompted by a high level of concern in both the city manager and the Democratic machine upon whom he relied. There was no cast-iron evidence of a link between McElroy and *The Democrat*. However, *The Democrat* was so biased in favour of Pendergast, the Democratic machine and the city manager, as to provide inherent indication that the newspaper was an adjunct of the Pendergast empire.

On the 24th June, 1932, an editorial in *The Democrat* asserted that Kansas City had been libelled, claiming the defamation originated with “the Rabbi – a Red”.²⁵⁸ Such a counter-defamation was a tactic worthy of the future Senator Joe McCarthy: obsession with communists, smearing one’s opponent, which is only acceptable if one-sided, hiding corruption of power with pre-emptive strikes and silencing alternative views. Following an unverified story in *The Democrat* on 1st July, 1932, that an un-named Kansas City law student had voiced the sentiments of large numbers of citizens critical of Mayerberg for bringing corruption charges without evidence, the reporting eased off.²⁵⁹ Once again, neither the editorial nor the report actually challenged the allegations made by Mayerberg, which could imply that Mayerberg’s allegations were correct. However, Mayerberg may not have had satisfactory proof or lacked sufficient courage or resources to pursue the issues himself.

²⁵⁷ “Mayerberg Charges Lack Foundation”; “Writer in Jewish Paper Scores Mayerberg”; and “Rabbi Has Backing of City’s Reds: The Rabbi’s Veracity Questioned by Public.” *The Missouri Democrat*, 10th June, 1932, p.1.

²⁵⁸ “Publicized Slander”. *The Missouri Democrat*, 24th June, 1932, p.4.

²⁵⁹ “Rabbi Mayerberg and His Supporters”. *The Missouri Democrat*. 1st July, 1932, p.6.

The end of Mayerberg's campaign was sudden, perhaps suspiciously so. On 30th September, 1932, *The Democrat* reported that Mayerberg had announced his retirement from politics. It suggested that synagogue congregation members had not been happy with his political activities and that whilst he would play a part in the Charter League, his major role would be relegated to that of preacher.²⁶⁰ None of the other local newspapers saw fit to report the departure. So far as the local newspapers were concerned, the Mayerberg episode had concluded. Mayerberg himself denied vehemently that he had been so terrified by Lazia that he was afraid to return from Seattle to Kansas City.²⁶¹ However, his own account glossed over his return and retirement from politics. He limited himself to saying that he would now set himself to the task of serving his congregation. Bearing in mind that Mayerberg himself alleged his telephone was tapped, that bribes were offered, and that one night his car was forced off the road and a shot was fired, it is little surprise he withdrew. For months he claimed never to go to bed without a loaded pistol by his side. In his words, "the pall of fear which encompassed the community in general and big business men in particular was impressed upon me."²⁶² Mayerberg ducked out of the furore he had created.

The November, 1932, state election proceeded without incident. The Democratic Party slate, approved by the Pendergast machine, was elected in a clean sweep for those running for the U.S. House of Representatives and the Governor's mansion. Therefore, it is clear that Mayerberg's challenge had little or no immediate effect on the election process. However, following the violent 1934 city election, *The Star* commenced an extraordinary period of reporting on election fraud and the abuses by the Democratic machine. Finally, in 1938, the state legislature enacted reforms of

²⁶⁰ "Rabbi Quits Politics". *The Missouri Democrat*, 30th September, 1932, p.3.

²⁶¹ Mayerberg, op cit, at p. 139.

²⁶² Mayerberg, op cit al p. 136

the Missouri election laws. Whilst the Mayerberg challenge can in no way be regarded as the proximate cause of the reforms, it was an early link in the very long chain of events leading to such reforms.

In the Media versus Mayerberg, *The Democrat* played ‘Mayerberg the Man’ as the story, making it a more riveting read, whilst deflecting attention from the allegations of abuses detailed in *The Star*. Despite the latter’s publicity, Mayerberg’s position was always weak. He was working almost alone and therefore isolated. The rabbi had no political leverage. He was forced to react to events, such as the August primary election, instead of leading the initiative. His approach was scattered, less than comprehensive and not organized. Mayerberg’s message changed almost from week to week as it moved from one type of abuse to another. Therefore, his impact was diluted. All these factors doomed his challenge to Pendergast, whose monopolistic control of Kansas City was sufficiently strong and widespread that he could openly demonstrate that the local police department and the city manager were in his pocket.

The question arises: if Mayerberg was so weak and ineffectual, why did Pendergast go to such intimidating lengths to muzzle him? Possibly, Pendergast was surprised at a challenge to his supremacy from a source outside the Republican Party, and he over-reacted. Alternatively, Pendergast felt that the challenge to McElroy might escalate into something that might damage his business interests and, therefore, had to be dealt with swiftly. However, the most likely answer is twofold. Mayerberg could be regarded as the idealistic figure of Thomas a Becket to Pendergast’s pragmatic and exasperated Henry II, prompting Pendergast to hint or express to his machine workers, ‘who shall rid me of this meddlesome priest?’ Add to this the

teaching of machine politics by Pendergast's elder brother Jim for whom politics was war. Little wonder in the end that Mayerberg was dealt with so harshly.

The 1932 Charter League was formed by Mayerberg to “defeat partisan city government.” Whilst the Charter League was short lived and ineffective, in 1934 it evolved into the Fusion Movement, a coalition between the Charter League (re-named the Citizens Movement), the National Youth Movement (“NYM”) and liberal Republicans, as well as unreconstructed Democrat rabbits. Thus, less than two years after Mayerberg's 1932 challenge, another was made to Pendergast's power. In January, 1934, NYM and the Citizens Movement attracted press attention when *The Star* wrote of the accumulating strength of the independent movement and its aim to dispense with politics and party influence in municipal affairs.²⁶³ Here, the wish of *The Star* was father to the thought, as neither NYM nor the Citizens Movement had little political recognition at this time. Indeed, the machine wrote off NYM as “silk stocking college students”, with Pendergast labelling the leaders as “a bunch of nice boys and girls misled by GOP soreheads.”²⁶⁴ However, NYM attracted the interest of *The New York Times* which, in a February editorial, warned that the Republican Party would face a test from the movement. Pendergast, it said, was not worried.²⁶⁵ True to partisan form, and using an unintended electoral pun, *The Democrat* reported that “the Citizens Movement's ticket does not have a ghost of a chance.”²⁶⁶

In February 1934, in an escalation of violence far greater than the threats experienced by Mayerberg, *The Star* published a front page story reporting that the

²⁶³ “It's A Citizens Movement”. *The Kansas City Star*. 19th January, 1934. p.4. Historians Larsen and Hulston, Reddig and others failed to clarify the evolution of the Citizens Movement. Probably, it was the re-named Charter League.

²⁶⁴ Larsen and Hulston, op cit. p. 111.

²⁶⁵ “Kansas City Youth Wars on Bossism”. *The New York Times*. 11th February, 1934. p.B1.

²⁶⁶ “Inner Circle without Hope of Electing Citizen Slate.” *The Missouri Democrat*. 16th February, 1934. p.1. One of the illegal voting methods used by the Pendergast machine was “ghosting”, where names of ineligible persons would appear on the electoral role.

Citizens Movement office was riddled with bullets. “Witnesses stated they saw a car with NYM stickers used by gunmen. Police Chief Higgins expressed the opinion that NYM workers had committed vandalism to arouse sympathy.”²⁶⁷ This was a classic example of a Pendergast machine political dirty trick, namely ordering a car with NYM stickers to raid an office and blaming his opponents. Claim and counter-claim of vote rigging continued until election-day, when the media concentrated on the violence and killings that took place.²⁶⁸ Four wards, formerly held by the Republican Party, were won by Fusionists.

For reasons which are unknown, the NYM and Fusionists disappeared from political view and took no part in the 1936 elections. Most probably, the Republican Party persuaded the Fusionists that their cause was better fought within the party. Possibly, fear of further, excessive violence scared the NYM and Fusionists. Whatever the cause, Pendergast’s leadership remained unharmed by the 1932 and 1934 challenges and bossism continued to rule in Kansas City. Further, until the attack on a member of its staff, *The Star* handled the Pendergast machine with kid gloves. It was not until undue violence in an election and Pendergast’s handing the day to day responsibility for the machine to his nephew that *The Star* started to criticise the machine on a continued basis and, even then, limited its fire power to concerns of election fraud only, casting a blind eye to other wrongdoing.

From his days as a bouncer in the Bottoms, Pendergast had learned that political authority should not be challenged. As a goat, his fights with Joe Shannon’s rabbits for control of the Kansas City Democrats had reinforced his view that his jurisdiction should be absolute. There can be little doubt that his apprenticeship, which included his elder brother’s tutelage about equating politics to war, and

²⁶⁷ “Vandalism in Campaign”. *The Kansas City Star*. 19th March, 1934, p.1.

²⁶⁸ A detailed account of the 1934 spring election is found in Chapter 8.

subsequent leadership roles confirmed the view that any challenge to his rule, wherever it came from and no matter how weak, needed to be crushed to protect the reputation of the machine and the sole source of political influence in Kansas City. That Mayerberg mounted a hopeless challenge from its inception and that the Fusionists and NYM would never take control of the Council would have been an irrelevancy. The reputation of the machine and its leader amongst the people with whom it did business was paramount and it was all the better for Pendergast's name as an undisputed ruler if such challenges were met harshly and violently.

Chapter 7.

“A newspaper, which consists of just the same number of words, whether there be news in it or not, may, likewise, be compared to a stagecoach, which performs constantly the same course, empty as well as full.” Henry Fielding.

Challenges from the Press: The Self-Appointed Role of Newspapers as Moral Watchdogs.

A casual observer of Kansas City 1920s and 1930s municipal history might have expected to witness a concerted attack and challenge by the local press on an ever-increasingly corrupt political party machine and its leaders. However, a brief examination of Hollywood contemporary films like “Mr Smith Goes to Washington” and “The Last Hurrah” would show a different image of newspapers of those times. In the former, a limited glimpse of the press shows it supporting a corrupt boss and machine in an effort to defeat the little man. In the latter, an Irish political boss, who is a mixture of Robin Hood and Machiavelli, faces a last challenged backed by an unscrupulous newspaper proprietor, determined to get his way at any cost. Whilst Hollywood hardly depicted a sustained, accurate representation of its times, there should be no assumption that the 1920s and 1930s press acted as protector of individual rights and a bulwark against overwhelming machine power.

Certainly, the conduct of the newspaper business in the 1920s and 1930s, as part of the remit of the fourth estate, included an implicit responsibility to frame political issues. Yet newspapers were usually partisan politically and, for their proprietors and shareholders, first and foremost a business, much like the political party machines of the day, with the exception of the monopoly element. This chapter will suggest that by the 1920s, newspapers were profit-driven and corporate, relying as much on advertising as newspaper sales for revenue and, like other private businesses, vulnerable to takeovers and bankruptcy. However, the conduct of the

newspaper business was not straightforward, thus this study must necessarily compare and contrast theories concerning the legal and ethical duties and obligations of proprietors and journalists, as well as examining the pivotal role of editors, as outlined by the 1922 Statement of Principles and Code of Ethics adopted by the American Society of Newspaper Editors (“ASNE”).

The chapter will then turn from theory to practice and assess the extent to which the five newspapers mentioned in the Introduction, in particular *The Star*, met both the several legal and ethical duties listed below and challenges in reporting on the Pendergast machine and the operation of local government in Kansas City. It will offer suppositions why *The Star*, despite its privileged position as the dominant title in the Kansas City area, did not challenge Pendergast’s excesses and expose the corrupt practices of Pendergast’s Democratic machine. Instead it limited its criticisms, by and large, to election fraud and it omitted to provide any substantive reporting on the workings of the Kansas City council. Intimidation of *The Star*’s proprietors, editors and journalists by the machine cannot provide the sole answer. There is no evidence whatsoever that *The Star*’s personnel were targeted by the machine. Since behind-the-scenes relations between the machine and *The Star* have not been documented by Pendergast’s biographers, the chapter speculates two possible reasons. The first is that the editors of *The Star* were also businessmen who recognised a common cause with Pendergast. The other is that it is bad business to kill the goose that lays the golden egg. Pendergast was in a position to damage *The Star*’s business interests by persuading local advertisers that it was better for the latter’s business to advertise elsewhere.

In America, the press has always been in private ownership, albeit in the twentieth century often through corporations whose shares are held by the public. As

such, newspapers have no direct legal obligation or duty towards American voter-citizens. Therefore, there is a tension and ever-present conflict arising on the one hand from the interests of proprietors of media businesses, who seek profits through advertising and earnings derived from circulation of the product, and on the other hand the interests of journalists, who seek to have news stories published, regardless of the effect on the title's profitability. By the 1920s, publication of newspapers, once the province of celebrated individual owners like William Randolph Hearst and Joseph Pulitzer, had become corporate business, managed by boards of directors and governed by balance sheets and profit and loss accounts. According to American anarchist and essayist, Victor Yarros:

“The newspaper, as a rule, is supported not by its readers but by its advertisers. ‘Circulation’ is regarded as a means to an end for procuring profitable contracts with big advertisers and the capture of a host of small advertisers. The reader is the beneficiary of indirect subsidies. The inevitable result is that advertisers have too much influence. Men are publishers of newspapers because they expect to make money by building up huge circulations and corresponding advertising patronage.”²⁶⁹

Yarros makes the point forcibly that by 1920, the newspaper industry was profit driven, as was every other privately owned American business. Of course, not every newspaper could build up huge circulations. Proprietors of newspapers serving large cities might have hopes of amassing fortunes in this way but those of newspapers serving small towns could not.

Cathy Covert observed that by the 1920s: “The American press had become a massive, inter-connected industry, shaped by chain ownership and devoted to the sale of news, opinions and entertainment.”²⁷⁰ The resulting product enticed some buyers of newspapers into the market place of advertising columns. In turn, a major role for

²⁶⁹ Victor S. Yarros. “Journalism, Ethics and Common Sense.” *International Journal of Ethics*, Vol. 32, No. 4. (Jul., 1922), 410-419. pp.412, 413.

²⁷⁰ Cathy Covert. “A View of the Press in the Twenties.” *Journalism History*, 1975: 2(3): 66-67, 92-6. p.67.

the daily press was consolidated, within the national system, for delivery of goods and services. The newspaper had now become part of the industrial process, producing advertisements that sold goods at a profit, reinforcing Yarros's point. Evidence of the increase in the industrial aspect of the newspaper business is provided by Edwin Emery. He states that between 1910 and 1930, the U. S. population increased from 92 million to 122 million and that daily newspaper circulation in this period increased from 22.5 million copies to 40 million copies.²⁷¹ However, in the same period, there was a net loss of 258 daily newspapers, in part as a result of competition and increasing concentration in ownership. The net loss was significant, diminishing readers' choice. The loss accounted for approximately ten per cent of newspapers titles published in America. In Kansas City, *The Kansas City Journal* and *The Kansas City Post*, both daily newspapers, closed in 1928. *The New Menace* and *The Kansas City Sun*, both weeklies, closed in 1931 and 1932 respectively.²⁷²

There were sound business reasons for the reduction in numbers of titles, including new technologies, competition, product standardisation, management error, business depression and planned consolidation. Takeovers and mergers of newspapers continued, regardless of whether financial conditions were favourable or not, as publishing corporations sought to increase their share of the media market. The reduction in titles meant there would be fewer potential press challenges or exposures of bosses like Pendergast.

Technological change was evident too in the 1920s with the introduction of new mechanical innovations, such as high-speed printing presses. Competition for circulation arose because advertisers deemed it more efficient for them to buy space in one metropolitan newspaper with a substantial circulation, rather than several

²⁷¹ Edwin Emery. *The Press and America*. (Englewood Cliffs, New Jersey. 1962. Prentice-Hall, Inc.) p.514.

²⁷² Library of Congress Newspaper Listings for Kansas City.

newspapers with overlapping circulations. As a result of corporate Darwinism, weaker publications were eliminated. Notwithstanding the idealised concept of 'the newspaper scoop', standardisation in reporting resulted because circulation competition discouraged individuality. News agencies like the Press Association supplied more comprehensive news coverage, using a uniform style within a mass distribution industry. In some towns and cities, publishers found a lack of economic or social need for their newspapers because rival publications were already well entrenched.

Standardisation of newspapers was analogous to centralization of power for machines. A stock newspaper response repeated in numerous titles played into the hands of machine monopoly control, not so much within their cities but within the state. For example, by 1936, Pendergast had become Missouri's most influential politician. Numerous newspapers, such as *The Howard County Herald*, carried the same story concerning Pendergast's refusal to endorse a candidate for governor.²⁷³ Had there been more independent titles, possibly some of the newspapers might have carried the real story, namely that Pendergast and candidate for Governor, Lloyd Stark, were political enemies.

The Great Depression of the 1930s witnessed a reduction of advertising demand. Dailies in which advertising occupied 65-75% of space in 1929 reduced advertising space to 50% by 1931 and those dailies where the proportion of advertising occupied 50-55% of space in 1929 dropped to 30-35% by 1931.²⁷⁴ The resulting reduction in income adversely affected many newspapers, some of whose

²⁷³ "Pendergast Listens" *The Missouri Democrat* (re-printing a story from *The Howard County Herald*). 4th October, 1935, p.2.

²⁷⁴ Grant M. Hyde. "United States Journalism in 1931." *Journalism Quarterly*, Volume 8, December, 1931, Number 4, 419-428. p.420.

management would not have been sufficiently experienced to cope with the ensuing financial challenges.

Pendergast's companies were frequent advertisers in *The Democrat*. Little wonder that this newspaper remained so sycophantic towards him. For example, every year between 1925 and 1938, *The Democrat* publicised Pendergast's hosting of the annual Xmas dinner for "every poor devil who needs a feed".²⁷⁵ What the newspaper consistently failed to report was that Pendergast tithed his senior machine colleagues to cover the cost of some 2,500 to 3,000 dinners each year. Pendergast, by implication, did not part with any of his own substantial, personal fortune.

Publishers' concern with advertising revenue was tied closely with the requirement to increase circulation which was needed to attract and retain advertisers. A shrewd publisher needed to know exactly what readers wanted to maintain circulation figures. As Hearst would have asked, "what will go with our readers?"²⁷⁶ Helen Hughes summarised the newspaper business thus:

"Successful publishers knew that 'interest' was the life of newspapers. If a readership was interested, they would attract circulation and circulation attracted advertisers. The advertisers' dollars and the readers' pennies gave the newspaper its income. The paper that devoted itself to edification, not interest, had never been able to pay its way in a world where newspapers were published competitively."²⁷⁷

Hughes' observations are accurate. 'Worthy' publications such as specialist, academic journals do not have a large audience, whereas newspapers must hold the interest of a mass readership. Newspaper editorials might seek to edify the public from time to time but, as Hughes has stated, a constant supply of printed material based on education and awareness would result in a loss of readership, which in turn would cause the business itself to be damaged. Therefore, a newspaper must have a mixed

²⁷⁵ "Christmas Dinner for All." *The Missouri Democrat*. 18th December, 1925, p. 1.

²⁷⁶ Helen MacGill Hughes. "Newspapers and the Moral World." *The Canadian Journal of Economics and Political Science*, Vol. 11, No.8. (May, 1945),.177-188. p.179.

²⁷⁷ Hughes, *ibid*, p.186.

content. Whilst it might have no need to pander to its readership, it must entertain to retain that readership. However, in focusing upon sales, Hughes did not consider the duties, responsibilities and ethics of a newspaper publication, which also had to be included in the mix.

Unlike Hughes, Nelson Crawford, among others, has analysed what constitutes the ethics of publication.²⁷⁸ First, Crawford considered the legal position of a newspaper as a commodity with no substantial sources of income, other than from advertising and circulation. As the newspaper was a commercial enterprise, it owed the same obligations of any other commercial enterprise.²⁷⁹ In terms of legal duties, he opined that the proprietor owed shareholders the obligation to manage the newspaper within the provisions of the law and to seek profits. The proprietor, too, may have had limited legal obligations to employees in the 1920s and 1930s, depending on the laws of individual states. However, there would have been no obligation to print every, or indeed any, story written by a journalist. Whilst the proprietor had no legal duty towards its readership, save to individuals under the laws of defamation, a subscriber, when he bought a newspaper, was entitled to know what he was likely to get, thus, in Crawford's view, the newspaper, through its proprietor, was obligated to ensure that the publication reached the subscriber promptly and regularly. This was hardly an ethical position. It was just good business.

Second, Crawford listed a series of duties which he regarded as owed to advertisers, duties which were in the nature of ethical obligations.²⁸⁰ Circulation figures should not be misrepresented to advertisers. Oddly, he did not consider this a legal duty, although misrepresentation is a valid ground to terminate a legal agreement. The advertiser buys space as an opportunity to address the readership of a

²⁷⁸ Nelson Antrim Crawford. *The Ethics of Journalism*. (New York. 1924. Alfred. S. Knopf.)

²⁷⁹ Crawford, *ibid*, p.3.

²⁸⁰ Crawford, *op cit*, pp5-10.

newspaper and it would be wrong to mislead an advertiser as to the numbers of people who might read the advertisement. Also, Crawford found it unethical for a newspaper to discriminate between advertisers. For example, where there are two or more advertisers in the same type of business, there should be no discrimination as to the position of the advertisement in the newspaper, nor the price for the advertising space. Significantly, Crawford begins his ethical examination of newspapers with the priorities of advertisers, demonstrating an understanding of who held the important cards in the newspaper business.

The line between legal duty and ethical obligation was blurred occasionally. In the 1920s, honesty in advertising was a recent development, stimulated by the actions of newspaper publishers. Although state laws against fraudulent advertising existed, they were rarely effective because not only were prosecutions against advertisers costly but also substantive evidence was difficult to obtain. Nevertheless, no publisher had any ethical justification for refusing to publish an advertisement on the sole ground that it competed with other advertising or because the newspaper was convinced that the advertisement would fail to return a profit for the advertiser. “Caveat advertiser emptor” applied.

Altogether, the legal duties and responsibilities of a proprietor were limited at best and hedged in by the obligations owed to shareholders and advertisers. In simple terms, publishers had to take care of business, something a boss like Pendergast would well understand and, possibly, exploit. It is not suggested that Pendergast exploited or influenced *The Star* but it is detailed below how this newspaper rarely took Pendergast to task, save in relation to election malpractice. According to William Samuel Lilly, in the 1920s there was a belief that newspapers were extensively subsidized by advertisers and such belief was strengthened if, for example, a railroad

company advertiser sent to a travelling readership a marked copy of a newspaper containing an editorial defending the railroads.²⁸¹ It was considered bad policy if a publisher permitted an advertiser to gain the impression that the latter controlled the newspaper.

Journalists owed few duties of a legal nature to their employer and none to the reading public. The legal duty to the employer depended entirely upon the terms of a contract of employment. However, journalists owed an ethical obligation to employers and readers alike, summarised by Lilly, as “the liberty to state facts, argue them, and denounce abuses.”²⁸² Journalists should be “the principal instrument of publicity, the greatest terror to evil-doers, and the most energetic mode of resistance to tyranny.”²⁸³ To put the position in modern terminology, a journalist had the duty to tell the truth, as he or she saw it, by reporting the who, what, where, when, how and why of stories. As a result, tensions will have existed between journalistic idealism and the reality of the newspaper business of the times, with its reliance on advertisers and sales, as well as the subjective grey area of what constituted abuses, tyranny and evil.

Lilly’s view of journalists’ responsibilities was voiced from the onset of ‘watchdog’ or investigative journalism, better known as ‘muckraking’, a term coined by President Theodore Roosevelt (1901-1909) to describe raking that uncovers dirt. Interestingly, Rosemary Armao asserts that “investigative reporting has never dominated the American media, not even during its golden age at the turn of the

²⁸¹ Crawford, op cit, p.5.

²⁸² William Samuel Lilly. “The Ethics of Journalism.” *Forum*, (1886-1930): Jul 1889; APS Online, p.507.

²⁸³ William Samuel Lilly. *On Right And Wrong*. (London. 1890. Chapman and Hall.) p.164.

twentieth century or in the glory days of Watergate.”²⁸⁴ This is not surprising. First, not only was such journalism expensive, in that a team of reporters might devote months to a story and uncover little. It was also risky on a number of levels. The subject of a story might well sue for defamation, involving the newspaper in expensive litigation and, perhaps, an award in damages. Also, it took a great deal of courage for a journalist to uncover wrongdoing, as demonstrated by reporters such as Ida Tarbell and Upton Sinclair.²⁸⁵ Next, publishers may not have welcomed reports which criticised major advertisers. The dubious investment in a controversial news story was likely to be costly for the proprietor, compared to the assurance of a financial return in an advertisement.

In truth, McClure’s magazine reporters enjoyed notoriety because mainstream journalists generally did not embrace their style of investigative reporting. For every newspaper or magazine like McClure’s, there were hundreds that did not engage in the muckraking tradition, which, in any event, disappeared from American journalism before the First World War, only to be revived by Woodward and Bernstein and *The Washington Post* in the 1970s. Whilst ‘muckraking’ stories might have appealed to the newspapers in turn of the twentieth century New York, Chicago and Los Angeles, most American newspapers eschewed this style of journalism. It was neither profitable nor wanted by readers, who, in the mid-West, were as interested in wheat prices and society news as the happenings of Washington DC. The reason, as emphasized in page 182 below, was that American newspapers were essentially local.

²⁸⁴ Marilyn Greenwald and Joseph Bernt. (Eds). *The Big Chill: Investigative Reporting in the Current Media Environment*. Rosemary Armao. “The History of Investigative Reporting.” (Ames, Iowa. 2000. Iowa State University Press. p. 35)

²⁸⁵ Ida Tarbell wrote for McClure’s Magazine. She is well known for her exposure of the trading methods of The Standard Oil Company. Upton Sinclair was a novelist, renowned for his novel, ‘The Jungle’, detailing the excesses and horrors of meat slaughterhouses in Chicago. The book contributed to the pressure for passing of The Pure Food and Drug Act, 1906.

The right to decide to make watchdog investigations was the editor's, one of many responsibilities with which he was seized in his (or her) pivotal role within a newspaper. A newspaper editor serves as the fulcrum of a newspaper. He acts as the barrier between publisher and journalist, protecting the latter from any influence that a proprietor may seek to exert. At the same time, the editor acts as business partner with the publisher, whilst ensuring that the reader's interest is served. The editor plays many roles within a newspaper; he is part industrialist, part demagogue and idealist and part professional journalist. Sevellon Brown regards the editor as both a trustee of First Amendment rights and "a player in the three ring circus of the American Society of Newspaper Editors" through the variety of interests held.²⁸⁶

ASNE, to which the editors of *The Star* were founder members, was formed in the early twentieth century to safeguard the professional standing and obligations of editors against unreasonable inroads of the purely commercial interests of proprietors. Its aim was to improve newspapers by precept, not coercion, and to inspire greater editorial independence, in an implicit recognition among member editors of the need to outline and defend publication ideals in the media's marketplace. ASNE symbolised the need to protect the ethical dimension of news reporting and opinion against ever-increasing business demands of the proprietors. In 1922, ASNE adopted its Statement of Principles and Code of Ethics, reprinted in a special issue of *The Chicago Times* in 1939.²⁸⁷ The first stated principle was that the primary function of newspapers was to communicate to the human race what its members do, feel and think. Such an ideal was lofty but the language was clear; it conveyed the ethic that a newspaper had the duty to report on all aspects and affairs of humanity, without fear or favour. The other principles were listed under headings of responsibility, freedom

²⁸⁶ Sevellon Brown. "Society of Newspaper Editors." *The Public Opinion Quarterly*, Vol. 1, No. 4. (Oct., 1937), 114-120.p. 115.

²⁸⁷ *Canons of Journalism*. (The Chicago Times. May 7 to July 2, 1939.)

of the press, independence, sincerity, truthfulness and accuracy, as well as fair play and decency.

Under the heading of responsibility, editors protected the right of a newspaper to attract and hold readers, restricted by nothing but considerations of public welfare and decency, a worthy ideal but potentially at odds with a proprietor's wishes. A journalist who used his powers for a selfish or unworthy purpose was faithless to a high trust placed upon him. At the same time, it had to be recognised that the newspaper had to pay its way and earn a return upon capital invested. Therefore, editorial responsibility included acceptance of the use of less acceptable practices, such as comic strips and pictures of bathing beauties, together with gory reports of crimes. However, any newspaper which did not adhere to the tenets of honesty, responsibility and good faith should doom itself to extinction.

Freedom of the press was to be guarded as a vital right of mankind. It included the unquestionable right to discuss whatever is not explicitly forbidden by law, including examining the wisdom of any restrictive statute. In 1922, ASNE expressed a concern that some editors failed to defend the rights of all people but only of special interests, usually the prosperous. Lori Sturdevant, senior political correspondent of *The Minneapolis Star Tribune*, believes a free press is essential in America and that it has been so since colonial times. She states that it is no accident that legal protection of the press from government restriction wound up as the First Amendment, subject to a restraining influence through libel laws and sources that co-opt journalists.²⁸⁸ Charles Gardiner, former Washington Bureau Chief of McGraw Hill and adviser to

²⁸⁸ Interview with Lori Sturdevant in Minneapolis, 17th November, 2006.

the International Monetary Fund, agrees that a free press is central to democracy everywhere and that, in America, it is backed by court decisions.²⁸⁹

Another subject of ASNE criticism was those newspapers printing editorials whose views on economics, politics and sociology were slanted. The ASNE members were seemingly under the impression that “freedom of the press” included freedom from bias. Such a standard was theoretical only. Nowhere did ASNE define bias nor set standards for its avoidance. Whilst the tenet of fair and balanced reporting despite commercial imperatives has remained the watchword of the responsible press in America, editorials are, of their nature, opinion, separate from news. 1920s and 1930s newspaper readers in Kansas City benefited from the policy of *The Star* which ostensibly endorsed this position. *The Star* emphasised its role in an editorial in October, 1932, when it stated:

“This newspaper is independent but not neutral. Its duty to readers is to provide complete and fair information on politics without bias. Editorially, *The Star* belongs to no party but is not neutral. It concludes and speaks out.”²⁹⁰

If the editorial accurately stated *The Star*’s stance, no reader could be misled about its position on independence. However, the editorial did not explain how its position on lack of neutrality was not contradicted by its bias-free stance, nor how during the 1920s and 1930s, this newspaper, which was “hard to separate from the Republican Party in Kansas City, was devoted to business interests and even selected candidates” [for election.]²⁹¹

Whilst *The Democrat* consistently failed the editorial independence test, *The Star*’s position attempted to reflect ASNE’s policy of editorial independence, namely freedom from all obligations except that of fidelity to the public interest.²⁹² This was

²⁸⁹ Interview with Charles Gardiner in New York, 9th December, 2006.

²⁹⁰ “Independent but not Neutral.” *The Kansas City Star*. 20th October, 1932. p.4D.

²⁹¹ Larsen & Hulston, op cit, p. 39.

²⁹² In 1926, *The Star* was bought by its employees. The ownership position remained until 1977.

seen by ASNE as vital because promotion of private interest was contrary to the general welfare and not compatible with honest journalism. "Partisanship in editorial comment which knowingly departed from the truth does violence to the best spirit of American journalism."²⁹³ However, notions of independence need to be qualified. By 1930, practically all newspapers in America were published by corporations, none of whom would have been free from the obligation to acquire and pay for its real estate and machinery, to meet payrolls and look after the interests of investors. When newspapers permitted their property interests and financial and business obligations to take precedence over fidelity to public interest, the ethics of journalism would be broken. Furthermore, ASNE took the view that should a newspaper short-sightedly permit the private advantage of a creditor, shareholder, staff member or executive to take precedence over the primary duty of honest reader services, that newspaper would be digging its own grave.

The principles of sincerity, truthfulness and accuracy can be summarised as keeping good faith with the reader, which was the foundation of all good journalism. "Headlines should be fully warranted by the content of its articles and news reports should be free from opinion or bias of any kind."²⁹⁴ Such high-minded, absolute standards must be viewed as abstract as well as idealistic. ASNE rejected the journalist's right to quote the opinions of others in a story. In practice, there were so many ways of departing from 'the truth, the whole truth and nothing but the truth', as in headlines which slightly distorted facts or stories which over or under-played news.

To achieve fair play and decency, ASNE stated that a newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard. ASNE agreed that a newspaper should not invade

²⁹³ *Canons of Journalism*, *ibid*, p.9.

²⁹⁴ *Canons of Journalism*, *op cit*, p.12.

private rights without certainty of a public right, and that it was both a privilege and a duty of a newspaper to make a prompt and complete correction of its own serious mistakes of fact or opinion. Regrettably, ASNE failed to add that corrections should be given equal prominence and length to that of the original, erroneous story and not buried on an inside page. Furthermore, a newspaper would be regarded as insincere if, while professing moral purpose, it supplied incentives to base conduct, for example publishing details of vice and crime which were not in the public interest. This tenet called into question who should be the arbiter of public interest. Whether an editor is the appropriate person is a dilemma that still exists today.

The Statement of Principles also failed to address editorial censorship. Editors were always at risk of such an accusation because so many stories had to be ‘spiked’, resulting from the demand on space in a newspaper. When it came to court decisions on the question of censorship, even the Supreme Court was divided. In a 1931 ruling, by a vote of five to four in Near v Minnesota, the court declared unconstitutional a “gag law”, providing for temporary suppression of a newspaper accused of continued use of libellous material. “Liberty of the press, historically considered and taken up by the federal constitution, has meant principally, although not exclusively, immunity from previous restraints on speech.”²⁹⁵

All the above are tenets outlining principles assumed by both responsible newspapermen and the reading public. Journalism should be more than merely the business of publishing news and entertainment. At its best, there exists a larger, ethical dimension serving the public. The readers should have confidence that newspapers would not manufacture or falsify news, for example by inventing facts or misreporting news in headlines or placards, merely to increase street sales. Nor should

²⁹⁵ Near v Minnesota, 283 US 697. (1931).

news be deliberately suppressed or slanted to favour special interests. To do otherwise would have been regarded by ASNE as a serious ethical failure. By the time of the 1934 Kansas City municipal election, it can be argued that it was not the case that local newspapers, with the exception of *The Democrat*, operated from purely business principles and that they understood, articulated and accepted a number of ethical roles and responsibilities.

Yet Walter Lippmann, the influential writer, journalist and political commentator, held no assumptions that truth and news were synonymous. “We expect the newspaper to serve us with the truth, however unprofitable the truth may be. But the truth about distant or complex matters is not self-evident and the machinery for assembling information is technical and expensive.”²⁹⁶ Lippmann pointed out that modern democracy rested upon a flawed concept of informed public opinion. Even in the 1920s, when there were few other means of obtaining news about events outside of the individual citizen’s immediate environment, most Americans spent only about fifteen minutes reading newspapers each day.²⁹⁷ The observation raises an issue as to how efficacious a newspaper could be. Arguably, readers bought the newspaper that reflected their predilections, as well as having those predilections shaped by the newspapers. Of the editor, Lippmann wrote:

“The newspaper editor occupies a strange position. His enterprises depend upon indirect taxation levied by his advertisers upon his readers: the patronage of the advertisers depends upon the editor’s skill in holding together an effective group of customers. These customers deliver judgment according to their private experience for they have no independent knowledge of most news they read.”²⁹⁸

Accordingly, the many tensions within the newspaper industry, namely conflicting interests, absolute ideals and necessary compromises, are all difficult to reconcile. The

²⁹⁶ Walter Lippman. *Public Opinion*. (London. 1965. The Free Press). p.203.

²⁹⁷ Colin Lacey and David Longman. *The Press as Public Educator. Cultures of Understanding, Cultures of Ignorance*. (Luton, Beds. 1997. John Libbey Media.) p.2.

²⁹⁸ Lippman, op cit, p.217.

difficulty is compounded when the end result causes harm. The feverishness of an election campaign would be a particularly stressful time, raising disclosure issues.

Elliott Cohen and Demi Elliott looked at the issue of harm in newspaper reporting.²⁹⁹ They concluded that harm was justifiable when it was unavoidable in the process of meeting one's social function, for example causing pain for a public official by exposing corruption, or by publishing accurate but bad news that people needed to know. Arguably, harm was also justifiable, even in breaking the law, in order to get a story printed that was vital to civic life, provided there was no other way to access that information. However, harm was unjustifiable by revealing private information about an ordinary citizen that did not advance the public's need for civic knowledge.

When it came to reporting elections, for Cohen and Elliott the core ethical question was whether the media has a responsibility for the nurturing and maintenance of the election process. First Amendment purists say an independent press has no responsibility to the institutions of democracy, merely a duty to report freely and independently. There is a powerful alternative view, namely that everyone in a democracy has the nurturing and maintenance obligation; making government transparent and accountable is an additional obligation. If the latter view is correct, the press is subject to it. However, the reporting of the Kansas City elections of the 1930s has been examined, with the conclusion that at least until 1934, and arguably 1938, the local press, with the exception to some extent of *The Star* and *The Examiner*, omitted to report and expose many corrupt practices and breaches of election laws committed by the Democratic machine.³⁰⁰

²⁹⁹ Elliott D. Cohen and Demi Elliott, (eds.) *Contemporary Ethical Issues: Journalism Ethics. A Reference Handbook*. (Santa Barbara, California. 1997. ABC-CLIO).p.7.

³⁰⁰ See Chapter 8 for a detailed discussion of elections and reports.

The Kansas City newspaper editors of the 1920s and 1930s faced a dilemma in reporting on the Pendergast machine and Kansas City local government. There was a symbiotic relationship that bonded together, on the one side, local officials and other actors in the policy arena who needed media coverage and, on the other, the reporters who needed those officials and actors to provide information and to serve as objects of audience interest. Phyllis Kaniss observed that local government figures became particularly interesting when their actions allowed journalists to turn these figures into larger-than-life characters, cast in the role of heroes and villains.³⁰¹ Pendergast, if nothing else, was such a figure, heralded a hero by *The Democrat* and, from time to time, the other local newspapers but occasionally criticised, albeit by innuendo, in *The Star*. In her article, Kaniss also noted that three basic elements were required to make local government figures interesting: establishing a media image; producing a stream of information for reporters; and neutralising criticisms and other negative coverage. All three elements were surely applicable to the Pendergast machine. Significantly, Kaniss does not equate ‘interesting’ with increased profits.

Jan LeLain Lorenzein carried out a quantitative analysis of ten Kansas City newspapers operating in 1932, by which time Pendergast’s political machine controlled not only both Kansas City and Jackson County governments but also held considerable influence within the state.³⁰² The local actors identified by Lorenzein from his review of the local press included Pendergast himself, Kansas City Town manager McElroy, Joe Shannon, leader of the Democratic “rabbit” faction and soon to be U.S. Congressman, Harry S. Truman, then a mere County Judge and neither a national nor a state figure, Cas Welch, 4th District Democratic leader and John Lazia,

³⁰¹ Phyllis Kaniss. *Making Local News*. (Chicago and London. 1991. The University of Chicago Press.) p.168.

³⁰² Lorenzen, op cit.

a convicted felon and gangster, leader of the North Side Democratic Club and a Pendergast lieutenant. Lorenzein also named Republican Governor Henry Caulfield and William Thompkins, leader of the Central Negro Democratic Organization and proprietor of *The American*.

	Examiner **	Missouri Democrat **	Kansas City Call ++	Kansas City Star ++
1925		5,248	12,206	240,797
1926		5,248	12,206	240,269
1927		6,320	15,851	
1928		6,517	16,737	247,157
1929		6,701	16,661	248,673
1930		6,771	18,887	277,331
1931		6,707	18,814	289,104
1932		6,529	17,085	290,297
1933		6,087	16,444	287,054
1934	4,308	5,870	17,097	
1935		5,776	17,027	300,119
1936	4,156	5,390	17,574	305,369
1937		5,388	19,123	303,526
1938	4,676	5,316	19,020	305,060
1939	4,001	5,305	12,206	306,313

(** N. W. Ayers & Sons Directory, Newspapers and Periodicals. Mid Year Supplement. Philadelphia.)

(++ Editor & Publisher Year Book. (New York. 1921-1958. Editor & Publisher Co.))

Lorenzein's thesis, relating to 1932 local newspapers, established that in Kansas City, the local press coverage of the individuals identified by him increased their respective profiles, for good or bad. From the circulation figures listed above, the coverage did not increase sales of the Kansas City newspapers. Rather, in 1932, sales were down slightly in two out of the three newspapers cited. Perhaps publicity must be regarded as a commodity in itself.

The circulation figures provide convincing evidence of *The Star's* dominant position within the Kansas City press. It was a daily newspaper, with morning and evening editions, whereas its rivals were weekly or bi-weekly. It enjoyed a huge share of the advertising market and consequent revenues. In comparison, *The American* and *The Call* had appeal only to a small community, some 12,000 strong; likewise, *The Examiner's* readership came from a town of some 10,000 people. *The Democrat's* circulation was surprisingly low. Perhaps Pendergast was only willing to finance the newspaper to a limited extent; alternatively, its reporting and views were possibly too rabidly partisan and predictable for the majority of Kansas City readers.

When one considers the nature of the American press, it was always local. According to Ben Bradlee, former editor of *The Washington Post*, several American newspapers, such as *The New York Times*, *The Chicago Herald Tribune*, *The Washington Post* and *The Los Angeles Times*, enjoy both a national and international reputation but essentially, and certainly in the 1920s and 1930s, all newspapers were local newspapers, covering in the main local news and events for the local community.³⁰³ The national and international element in reportage was secondary. Thus, even a newspaper with the circulation and reportage breadth of *The Star* was always considered a local newspaper with local priorities, reflecting the interests of its

³⁰³ Interview with Ben Bradlee in Washington DC on 22nd September, 2003.

readership. Accordingly, Pendergast and his machine would have known and appreciated the importance of *The Star's* ability to influence the Kansas City community. Interestingly, whilst *The Star* often wrote in derogatory terms about the Kansas City Democratic machine, it rarely wrote in such terms about Pendergast personally. Bearing in mind the strengths of each party, it is possible, though unverifiable, that they struck a Faustian bargain with one another.

The proprietors and editors-in-chief of *The Star* would have encountered the political machine leadership of the Kansas City on a regular basis, both socially and in business. The relationship between the two behind closed doors has not been chronicled. Likely, there would have been regular contact. As far back as the 1910s, Jesse Nichols, proprietor of *The Star*, promoted the development of the Country Club District of Kansas City. During the course of the development, Nichols had regular contact with Pendergast in relation to it.³⁰⁴ It follows that by the 1920s, there was probably recognition on both sides that there was an approximate equality of power. *The Star's* circulation of 200,000 plus copies daily and its substantial advertising revenue made the newspaper not only politically influential with its readership, comprising a majority of Kansas Citians, but also financially strong. The Pendergast machine, likewise, was politically the most powerful entity locally, and also financially advantaged. There would have been acceptance by both parties that had these two Kansas City behemoths taken serious issue with one another over Pendergast's and the machine's corrupt conduct, neither would have likely ended the winner and both would probably suffer damage to their respective businesses. Accordingly, before the mid 1930s, *The Star* contented itself in the main with criticisms of machine electoral practise at election time, reporting the failures of both

³⁰⁴ Larsen and Hulston, op cit, p. 46.

the Democrat and Republican machines. In the mid 1930s, following an attack on a *Star* reporter, *The Star* changed its policy and commenced its bromides in earnest against the Democratic machine's electoral practices. However, it hardly widened the criticism to other areas of suspect machine conduct, for example Pendergast's relations with organized crime.

Before *The Star* commenced its mid-1930s attack, both sides would have recognised it was simply not in the interests of either to fight each other and, consequently, better for each business to avoid disputes in public. Put slightly differently, Pendergast needed a peaceable, if not totally compliant, press to allow machine business to continue relatively undisturbed. *The Star* needed a peaceful relationship with Pendergast to ensure its profit stream because Pendergast had sufficient power locally to influence advertisers to withdraw their business from the newspaper. Therefore, *The Star* would not have committed itself to 'muckrake' over the Pendergast machine. Rather it concentrated on the cult of personality of machine leaders.

It has been stated that *The Star* had no legal duty to its readers to report the excesses of Pendergast and his machine. It might be thought proper to question whether *The Star* had an ethical obligation to its readers to expose Pendergast's corruption and its consequences. If so, it would equate to an allocation of blame upon *The Star* for Pendergast's lengthy, unchallenged rule until the entry of the federal government. This would be unfair because an objective judgment could not be reached. Not only would it be requisite to adopt the appropriate standards of the times, which would be difficult to delineate but also it would be necessary to introduce and assess primary evidence from newspapermen, politicians and lawyers who wrote and practiced in those times, which would be impossible.

Additionally, questions could have been raised by *The Star* about the mendacious actions of others, such as city manager McElroy and State Insurance Commissioner O'Malley. Pendergast's downfall resulted, in part, in the successful prosecution of O'Malley and the implication of wrongdoing by McElroy, both for massive fraud. McElroy escaped prison by the simple expedient of dying before he could be tried. Pendergast himself was imprisoned for federal income tax evasion, having failed to declare an extraordinarily large fee paid for broking a settlement of insurance litigation, where the state represented the interests of Missouri policyholders. Details are documented in Chapter 9. *The Star's* failure to uncover the corrupt settlement of the state insurance case may be excusable but its subsequent failure to publicise and campaign for the recovery of policyholder premiums improperly released to insurers as a result of the fraudulent settlement brokered by Pendergast is both curious and difficult to explain, unless a confidential settlement was reached behind closed doors.

In March, 1934, *The Star* wrote that it was "a modern independent newspaper, printing both sides of the campaign fully and fairly and that it respected the rights of readers to their own opinion."³⁰⁵ Under ASNE, editors were meant to act as the spotlight upon both grasping proprietors and corrupt politicians in order to inform and alert the public. Editorials, following ASNE's remit, were to be independent, sincere, truthful and accurate but they were also expressions of personal opinion honestly held by the editors themselves. Yet the high minded principles contained in ASNE, presumably supported by *The Star*, when compared to *The Star's* actions exhibit strikingly conflicted attitudes to Pendergast and his machine. *The Star's* style was to rely on editorials, printed frequently from 1934, which failed to name names and

³⁰⁵ "The Star in the Campaign". *The Kansas City Star*. 26th March, 1934. p. 3C.

which omitted to provide facts to support allegations of corruption. Investigative exposures did not occur. The newspaper's onslaught against corrupt local elections was constant and repetitive but it virtually ignored the machine's other excesses. If *The Star* supported the ASNE Statement of Principles, then it accepted a duty to report "all aspects and affairs of humanity". Whether a combination of ASNE principles and the excesses of the machine beyond elections were matters which *The Star* had a duty to investigate and report to its readers has to be conjecture, as such judgment requires the application of the prevailing rules of the times. It is apparent that the Kansas City press, of which *The Star* was leader, made no sustained reporting of challenges to Pendergast's leadership, save for its reportage of Mayerberg in 1932 and the Fusion Movement in 1934.

The Kansas City press often described Pendergast as a businessman, rather than a politician, but at no time did *The Star* investigate Pendergast's business interests, surely a matter of public concern. Pendergast had a substantial business empire and many companies owned and controlled by him, including Ready Mixed Concrete, transacted substantial business with the city. At no time before Pendergast's fall did *The Star* query the relationship or the potential conflict of interest, especially as McElroy, a machine member, placed contracts on behalf of the city with Pendergast corporations. Possibly, the answer to *The Star's* omission was that its major shareholders, advertisers and, probably, editors had business connections which conjoined those of Pendergast. Kansas City was a relatively small pond and it would not have been in *The Star's* business interests to annoy the machine big fish. If so, *The Star* simply found it expedient to ignore Pendergast's business dealings.

Essentially, *The Star* also ignored Pendergast's relationship with organized crime, particularly the actions of machine lieutenant John Lazia. *The Star* printed few

stories on Kansas City's illegal gambling and slot machines businesses before 1938, businesses in which Pendergast or his acolytes had interests. From time to time, editorials would appear in *The Star* concerning crime in Kansas City. In July, 1932, the newspaper called for an investigation of protected gambling.³⁰⁶ Additionally, that year it complained of the illegal use of slot machines, claiming that police raids to remove the machines were sporadic at best.³⁰⁷ Six years later, *The Star* was still running editorials against gambling, for example that Kansas City was a sanctuary for the gambling racket and other crimes and gangsters could laugh at the Police Department, concluding that criminals were part of the price Kansas City paid for machine rule.³⁰⁸ It was not until July, 1938, that *The Star* proclaimed that Governor Stark had ordered a war against gambling and racketeering in Kansas City.³⁰⁹ Perhaps this offers the best explanation that, as much as the press might object to illegal activities, it was up to the police to enforce the law. Until 1938/9, the purveyors of gambling and racketeering were protected from enforcement, by and large, hence one must wonder what the Kansas City Police Department were paid to do. Significantly, in 1939, following Pendergast's fall, the Kansas City Police Department reverted to state control and the clean up of Kansas City commenced in earnest.

Unlike its campaign against corrupt machine election practices, documented in detail in Chapter 8, *The Star's* reportage of crime and racketeering was surprisingly skeletal, possibly because there was little hard evidence to report on until Grand Jury developments in 1937. In probable consequence, in 1938, *The Star* cranked up its commentary on machine links with organized crime. In March that year, two editorials in the newspaper criticised, first, the machine's evasion of law violations

³⁰⁶ "Investigate?" *The Kansas City Star*. 18th July, 1932. p.C3.

³⁰⁷ "The Test on Slot Machines." *The Kansas City Star*. 20th August, 1932. p.4D.

³⁰⁸ "Machine Support of Gangs." *The Kansas City Star*. 18th March, 1938. p.4D.

³⁰⁹ "Hits At Vice Lug." *The Kansas City Star*. 13th July, 1938. p.1.

through Prosecutor Graves's record of indifference and, second, that Kansas City was a sanctuary for the gambling racket.³¹⁰ As for other Kansas City newspapers, until 1938, *The Examiner* almost ignored the topic of crime links, except for the Lazia stories. It mentioned racketeering in a 1930 editorial without expressly linking it to the machine.³¹¹ Two years later, this newspaper called for a clean up of Kansas City, after which "capitalists from all over the country will pour in to Kansas City."³¹² Between 1932 and 1938, *The Examiner* neither called for reforms to the Kansas City Police Department nor sought other changes, except in the particular matters of Lazia, the violence of 1933 shootings, the 1934 elections and the election law breaches of 1936. Arguably, the newspaper considered such subjects outside its jurisdiction as it was based in Independence. Yet it commented often on the politics of Kansas City. Possibly, crime was so prevalent within certain areas of Kansas City that the public was inured to it; for both the newspaper and its readership it was simply not a story worth telling or likely to change. There is no evidence to show whether *The Examiner* was influenced or not by the machine to stay off the story.

In January, 1938, *The Examiner* wrote a front page story about the allegations by Governor Stark that crime and lax law enforcement were rampant in Kansas City.³¹³ What made the story newsworthy for the newspaper was not endemic crime but the surprise intervention of the federal government. A year later, *The Examiner* reported that Stark had told Attorney General McKittrick to get on with a clean up of Kansas City law enforcement, but that McKittrick had received no appropriation of funds for this purpose.³¹⁴ *The Examiner* covered the Grand Jury trials for election

³¹⁰ "Crime and the Machine". *The Kansas City Star*. 17th March, 1938, p.D4 and "Machine Support of Gangs". *The Kansas City Star*. 18th March, 1938. p.D4.

³¹¹ "Political Racketeers". *The Independence Examiner*. 17th September, 1930. p.4.

³¹² "Money is Fearful." *The Independence Examiner*. 18th May, 1932. p.4.

³¹³ "Stark Adamant in his Charges" *The Independence Examiner*. 4th January, 1938. p.1.

³¹⁴ "'Clean Up' Talk With Gov. Stark." *The Independence Examiner*. 10th January, 1939. p.1.

fraud extensively.³¹⁵ It is worth noting that *The Examiner* made few allegations of misconduct aimed specifically at Pendergast and his machine.

The Democrat followed its predictable bias, as indicated by its name. In response to charges of corruption within the Democratic Party machine, it countered with exposures of supposed corruption within the Republican Party. For example, in a February, 1930, story, *The Democrat* reported that Republican Precinct captain Oscar Rowe was serving five years for serving poisoned whisky to Democratic voters.³¹⁶ Also, *The Democrat* was not averse to criticising *The Star*. In 1934, it alleged that *The Star* had engaged in a campaign of character assassination against Kansas City and that nothing had been left unsaid to poison the minds of the voters against the Democratic organization.”³¹⁷ The story was unsupported by fact, in *The Democrat*’s usual partisan, small-minded style.

Significantly, the local Kansas City press rarely reported on local policy issues affecting Kansas Citians. The 1925 Kansas City charter received adequate press attention during its inception but very little reportage thereafter as to its workings. There was praise for the 10-year Plan to restore and redevelop Kansas City public buildings but few stories on the Plan’s implementation. Again, Pendergast companies would have benefited substantially from contracts placed by the city but the press, especially *The Star*, ignored the implications. McElroy generally received favourable press commentary throughout his term of office, except in relation to his connection with the machine. McElroy was often praised, wrongly as it turned out, for his management abilities.

Likewise, there was very little publicity, if at all, surrounding the various city departments, each of which was led by a director who reported to McElroy.

³¹⁵ See Chapter 8 for a full discussion.

³¹⁶ “Republican Gangster of North End Ward.” *The Missouri Democrat*. 28th February, 1930. p.2.

³¹⁷ “Rampant Villainy”. *The Missouri Democrat*. 13th April, 1934. p.4.

Occasionally, there was an adverse story, for example, improper use of the Parks and Recreation Department by a councilman. Most reporting of local policy issues related to the Kansas City Police Department and the home rule versus state rule debate. There were very infrequent stories concerning the Public Health, Fire or Public Works directorates and no directors were profiled. One wonders why local newspapers ignored such newsworthy public issues and personalities. The lack of stories about policy for Kansas City could only have resulted from either the press or public being disinterested, although the public might have become interested if the information had been published. Possibly Kansas City policies were little different to those of other cities. Perhaps Kansas City directorates were managed so well as to be too boring to warrant reporting. If so, the voters of Kansas City were indeed well served by public officials, notwithstanding the uncertainty surrounding the validity of the elections of their political masters, but arguably not well served by the press as watchdogs.

When reporting elections, it was the style of the Kansas City press to report on the minutiae of election personalities, with little or nothing on their proposed policies. It is extraordinary that in all *The Star's* coverage of local elections between 1925 and 1938, there was effectively neither story nor editorial concerning policy and the debate on particular issues, save election corruption or gambling. There were no comparisons between the proposals of the Democratic and Republican tickets in relation to the policies to be followed by the Kansas City council. *The Star* campaign for clean elections and a halt to gambling were well intended but other local, partisan issues were ignored. There was nothing informative, for example, on the management of public health, surely a contentious matter bearing in mind differences in spending ideologies between Democrats and Republicans. Possibly, the answer lies in Hearst's view of "interest", that local political issues and policies did not interest the reading

public of Kansas City, whereas personality did. Larger ethical thinking, advocated by ASNE, argued that it would be good for readers to be better informed, like it or not. Commercial concerns ensured the lowest common denominator would prevail.

In conclusion, there should be little surprise that Pendergast remained in a position of power and that his machine held sway for so long in Kansas City, faced with such an ineffectual political opposition and an apparent quiescent press. The Republican Party accepted that it would not take control of Kansas City whilst the Pendergast machine remained strong but ameliorated its failure with the knowledge that it retained its stronghold in St Louis. The local Kansas City challengers were scattered, weak and largely unsupported, while facing a rampant machine, ready to quash any opposition. Even by a judgment of the times, the local newspapers were hardly an independent and observant fourth estate when writing about the Kansas City machine. *The Star's* proprietors may have found themselves in a conflicted position, knowing that a full-blown challenge to Pendergast would have probably caused as much damage to the business of the newspaper as Pendergast and his machine. If nothing else, Pendergast would have appreciated the easy ride he received from the local media, especially *The Star*.

Chapter 8.

“Power corrupts, but lack of power corrupts absolutely.” Adlai Stevenson.

Corruption: Machines and Elections.

John Locke wrote: “When any number of men has so consented to make one community or government, they are thereby presently incorporated and make one body politic, wherein the majority have a right to act and conclude the rest.”³¹⁸ Implicit in Locke’s opinion is that the majority view is established fairly. The bosses and ward lieutenants of political party machines in 1920s and 1930s Kansas City and Jersey City would not have agreed. The outcome of elections was not something to be left solely to the voters to decide. It was far too important because such a course might have had an adverse effect on the business of the machine.

This chapter will explain the frequency of elections to a political party machine and their importance to protect machine monopoly business. It will explain the blueprint for elections used by bosses like Pendergast and Hague. It will analyse the nature of systemic frauds in the administration and conduct of campaigns for election. The influence of money will be scrutinized. The part played by the local press in exposing election fraud and misconduct, in particular the violent 1934 spring city election, will be covered. The chapter will examine the role of ‘dirty tricks’ by machines and their ability to ‘work the system’ by manipulating official powers, such as extracting ‘voluntary’ contributions from city employees. It will compare and contrast *The Star’s* ineffectual campaign from 1934 onwards to expose voting frauds with that of the rest of the local press.

The chapter will itemise the actions by the 1936 federal grand jury, convened to examine the worst excesses of the Pendergast machine in securing election results

³¹⁸ Michael Rosen & Jonathan Wolff, eds. *Political Thought*. (Oxford. 1999. Oxford University Press.) p.39.

fraudulently, despite threats to the personal safety of the jurors and judge, presumably made by machine operatives. State election laws will be cited in detail. The chapter concludes with an analysis of the successful prosecutions of 259 Kansas City machine personnel for election offences and the reactions of the Pendergast machine, seeking to carry on its business as usual when, in reality, it had suffered a severe body blow from which it would not recover.

The best evidence of the manifest power of a 1920s/30s machine was its success in elections. The ability to harness an electorate and persuade it to part with its vote was the clearest indication of the machine's continuing capability to get things done. According to David Colburn and George Pozzetta, the winning of elections by machines was a fact of undisputed historical record.³¹⁹ If a machine did not control the electorate within its constituency, it would not survive, nor would its boss. Therefore, to ensure victory, numerous election practices, many of which were corrupt and some of which dated back to the nineteenth century and earlier, became the norm in both city and state elections. Writers of the like of Lincoln Steffens brought election scandals into the public arena. Yet although states passed statutes to prevent election fraud, little effort was made historically to enforce such statutes and stop corrupt practices, either locally or federally.

The cavalier attitude in relation to elections adopted by many political party machines was possibly rooted in the Constitution itself. Article 1, Section 4 of the Constitution provided: "The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof." The 15th, 19th, 24th and 26th Amendments to the American Constitution provided that rights to vote would not be denied in given circumstances but elections

³¹⁹ David R. Colburn and George E. Pozzetta. "Bosses and Machines: Changing Interpretations in American History." *The History Teacher*. Vol. 9, No. 3. (May, 1976), 445-463. p. 446.

themselves came within the purview of the states. Certainly, there was nothing in the Constitution itself to declare the principle of “one man, one vote”. Rule by the majority is a tenet of democratic societies, yet from their outset, political party machines sought to corrupt the electoral process. The notorious Boss Tweed gave in evidence a detailed account of corrupt election practices including ballot box stuffing. “It could not have been more brazen.”³²⁰ The tactic of ‘cooping’, “where citizens were often press-ganged off the streets by political campaigners and forced to vote several times, whilst bribed with drinks and given new clothes to disguise their identities” had disappeared by the 1920s and 30s in Missouri but was replaced by similar, more subtle methods, as outlined below.³²¹

Chapter 2 set out the efforts made by the Progressive movement to nullify corrupt electoral practices by democratizing government, with the adoption of reforms such as initiative, recall and referendum, and the direct primary. However, machines turned the primary system to their advantage by lawfully choosing their slate of candidates. Less political capital was expended by machines in primaries because considerably fewer votes were cast, thus a smaller number of voters needed to be ‘persuaded’ to confirm the machines’ selections. Relatively easy victories in the primaries were thus assured for a machine, as substantiated by a 1932 editorial in *The Examiner*, which summed up the position thus:

“Candidates in the August primary for US Congress are generally unknown to the average voter. The Kansas City slate vote will probably be sufficient to elect thirteen Democratic candidates. In Jackson County, the only interest lies in votes for state officials. Here the vote is already practically determined.”³²²

The voters of any state which adopted primary election laws had the opportunity to vote on four occasions biennially. At the beginning of an election year,

³²⁰ Cook, op cit, p. 13.

³²¹ “Fresh clues could solve the mystery of Poe’s death.” *The Observer*. 21st October, 2007. p. 42.

³²² “The Primary Ballots”. *The Independence Examiner*. 4th June, 1932. p. 4.

primary elections would be held for city and county offices. The election proper would be held in the spring. In August or September, another primary election would be held for state and national office with the full election taking place in November. City and county elections were of paramount importance to a machine. A loss in these elections would signify to the local populace a reduction of that machine's power and invite a challenge from a third party. However, state and national elections were also important as they demonstrated a machine's power to elect party candidates, thus according to the boss a greater standing both locally and in the national party.

Frank Hague, mayor of Jersey City, took four basic steps in almost every one of the seven local elections he fought.³²³ First, he would announce both his candidacy and the ticket or slate at a New Year's Day reception, thus gaining publicity in the local press. Second, he would announce a reduction in the local property tax, presumably a popular move in the earlier elections he contested but surely both a predictable and cynical approach after many years of office, even though still popular. Third, he would "tune up" the local Democratic organization for the campaign. Ward and precinct leaders would be encouraged to increase numbers of their personnel so voters would receive regular personal approaches and offers of help from the organization. Fourth, a central theme would be presented both to the organization and the public which would be followed through with civic and religious celebrations, for example an 'Americanization Day' parade. Endorsements would be received from local newspapers such as *The Jersey Journal* and *The Hudson Dispatch*, habitually accompanied by favourable editorials. There would be frequent canvasses of voters and, towards the end of the campaign, nightly rallies.

³²³ Richard J. Connors. *A Cycle of Power. The Career of Jersey City Mayor Frank Hague*. (Metuchen, New Jersey. 1971. The Scarecrow Press Inc.) p. 123.

By contrast, some bosses shunned the spotlight. Enoch L. “Nuckie” Johnson, notorious Republican boss of South Jersey at the turn of the twentieth century, believed that to wield real power in a place as corrupt as Atlantic City, it was important to “let someone else have the throne. I’ll take a seat at the ringside table.”³²⁴ Pendergast generally adopted a low profile at election time, leaving publicity to his more colourful colleagues. Unlike Hague, who welcomed the hustings as a sign of personal power, Pendergast preferred to demonstrate his power in the proverbially smoke-filled back rooms. He ceased to stand for election in Kansas City after 1922. Politically, he signalled his availability to be Chairman of the Kansas City Democratic Party Committee. Yet even Pendergast, on occasion, took a leaf out of Hague’s book. In the 1934 city election, *The Kansas City Star* reported that “Pendergast opened the city campaign with a forecast of overwhelming victory in an appearance that was contrary to custom.”³²⁵

Whether adopting a high or low profile, no boss of the likes of Pendergast and Hague would or could leave the outcome of an election to chance. It was too important for business. If a machine was not in power, holding its monopoly in the local legislature and judiciary, it would be unable to carry out the myriad transactions it needed to fuel its business and make profits for its major stakeholders. F. A. Hermens suggested probable tactics when he wrote: “Wire pullers of machines sometimes use subtle methods to achieve their aims. A frequent device of machine control is election tampering. Subtle is preferred to crude.”³²⁶ Bearing in mind some of the unlawful machine methods such as ballot box stuffing, which are described below, Hermens attribution of fraud subtlety is misleading. All methods were

³²⁴ van Meter, op cit, p.42.

³²⁵ “We’ll Win Again.” *The Kansas City Star*. 27th January, 1934. p.1. In 1934, *The Star* began its campaign against election fraud, writing often but ineffectively about the abuses of election laws, particularly registration.

³²⁶ Hermens, op cit, p. 389.

available for use by machines so long as they achieved results. In contrast, Harold Gosnell was far more direct: “Frauds in American elections, particularly primaries, are committed with the help or collusion of election boards.”³²⁷ Gosnell should have referred to election judges because election boards were state constituted and, theoretically, less likely to be subject to local corruption.

In his study of political corruption in America, George Benson took the view that corrupt machine politics became “the dominant pattern of government for American cities in the last quarter of the nineteenth century”.³²⁸ Benson’s study of election fraud led him to believe that most occurred in areas of one-party dominance, especially in the poorest wards and precincts, and that, oddly, party primaries more than general elections were the “principal stage on which tricks and dodges of election fraud were worked.”³²⁹ The apparent contradiction with the position on primaries, generally set out on page 195, was explicable if there was a serious contest, for example Truman’s election in 1934 to the U.S. Senate seat. His victory in the primary was hard won and a cause for concern. On 8th August, 1934, *The Star* reported that a federal grand jury would investigate allegations of illegal voting, with the use of “padding, repeating and neglect to count votes.”³³⁰ However, the election proper in November, 1934 proved an easy victory as Truman won in a landslide, without claims of illegality.

Whilst brazen frauds such as “cooping” had disappeared by the 1920s, other fraudulent practices, including variations of cooping, as outlined below, had taken their place. Voting frauds in the 1920s and 1930s were systemic, in that their practice was widespread throughout American cities. The similarity in the nature of election

³²⁷ Gosnell, op cit, p. 25.

³²⁸ Benson, op cit, p. 33.

³²⁹ Benson, op cit, p. 109.

³³⁰ “US Jury Into Vote-Truman by 30,000.” *The Kansas City Star*. 8th August, 1934. p.1.

frauds, as practised in both Kansas City and Jersey City, cannot have been coincidental. Some frauds were brutal, others sophisticated, but all broke election law. The nature of voting frauds interacted within three main headings: administration, conduct of campaigns and money.

Fraud in the administration of elections and voter registration was multifaceted. There was bullying, such as threats to businessmen concerning their workplaces or future tax investigations, in order to ensure their support. There was civil disorder and intimidation, where machine operatives used violence outside election stations to scare voters. Illegal voting methods included “ghosting”, where names appeared on the electoral roll even though such persons were ineligible to vote. Such practices did not go unremarked. In the 1934 city election, the National Youth Movement announced that cameras would be used to record “ghosts”.³³¹ During the 1936 state elections, Fitzpatrick produced a cartoon (see page 200) that expressed in the clearest terms the illegal ghosting operation, as a Pendergast figure looks over “ghosts” walking towards a voting booth.³³² Other illegal administration methods included “repeating”, “personation” and “endless chain”, where voters would falsely register themselves to vote, or vote more than once through the use of false names and impersonation of others, or, in a modern form of cooping, were bribed to vote more than once. The scale of such offences in Kansas City prompted media castigation. In an editorial in February 1934, *The Star* alleged:

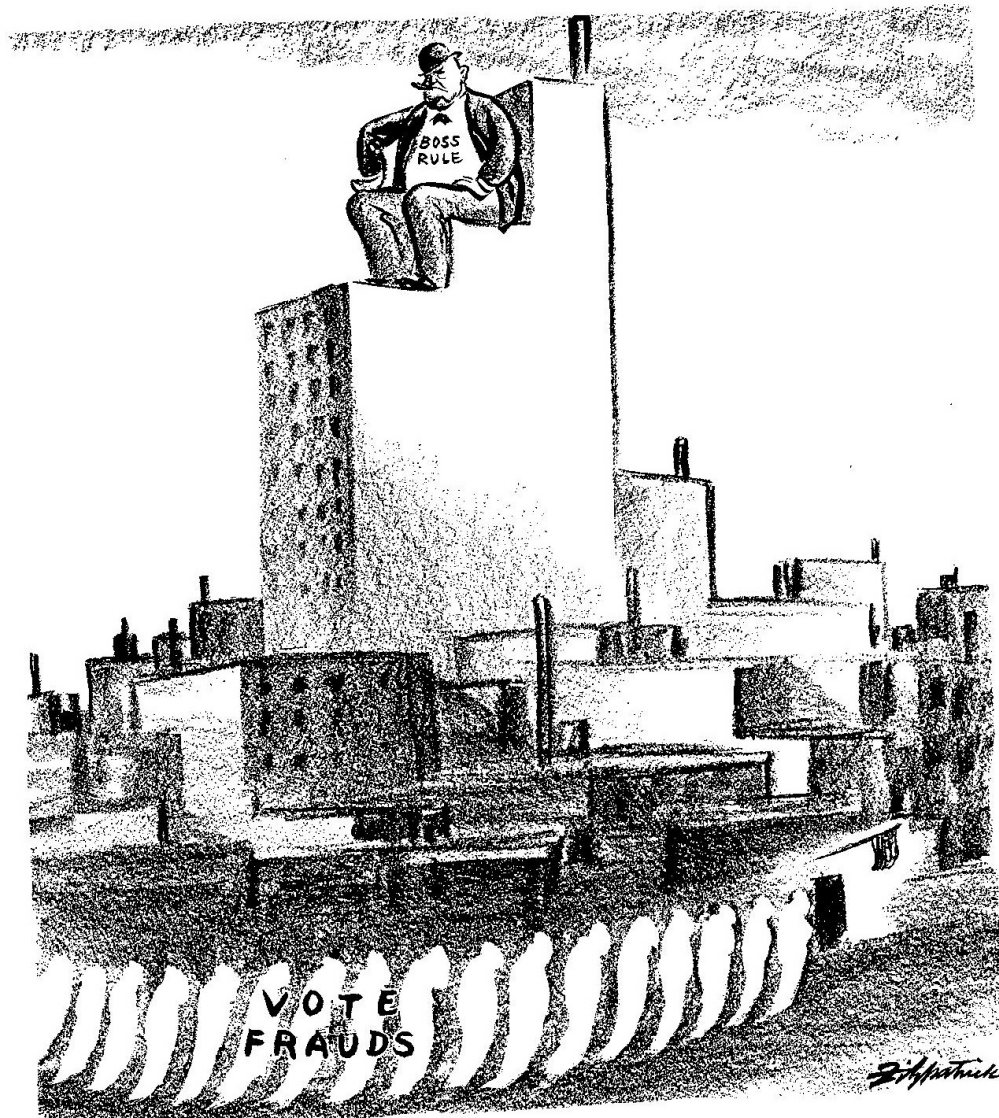
“Registration is out of proportion to previous registrations and there will be large numbers of strike-offs. This is not the time for wholesale challenges that have constituted abuses in the past. Vigilance is needed so every qualified Kansas City voter can vote.”³³³

³³¹ “First Vote Battle”. *The Kansas City Star*. 7th February, 1934. p. 1.

³³² “The King’s Henchmen.” *The St. Louis Post-Despatch*. 26th July, 1936.

³³³ “Thorough Voting Checks Required.” *The Kansas City Star*. 9th February, 1934. p.3.

A few days later, *The Star* reported that more than 88,000 votes were struck off by the election board, following a supplemental registration of 95,000.³³⁴



THE KING'S HENCHMEN.

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³³⁴ "Vote Total 244,397." *The Kansas City Star*. 25th February, 1934. p.2.

Frauds in the conduct of campaigns were challenged in Missouri as early as 1907, through legislation authorising an election board whose remit was to oversee and regularise the conduct of elections. The election board was an agency administered by the state from the capitol, Jefferson City. It was responsible for the conduct of state elections and the conduct of county election boards. Its effectiveness was patchy, at best, in cities where machines were in control because machine power locally was a great deal stronger, especially when the state governor, to whom the election board reported, was in the pocket of the machine.³³⁵ Members of the election board are not to be confused with election judges, as with Gosnell above.³³⁶ Judges were chosen locally by the political parties to referee disputes and disagreements at polling stations. Their impartiality was invariably doubtful in Kansas City during the 1920s and 1930s. Election judges were chosen from each party's machine's roster. No adverse mention was made of the Democratic machine in *The Star's* February, 1934, editorial quoted above, presumably because there was inadequate evidence, often the case in *The Star's* reports. However, reporting on the election proper, *The Star* alleged in a headline story that an election board inquiry heard evidence that voters were being paid by Democratic machine operatives as they left.³³⁷

Other frauds included conspiracies whereby election judges would collude with machine operatives to alter ballot papers, or indulge in "ballot-box stuffing", namely adding pre-marked ballots, or to make false counting of votes and false certification of results. Maurice Milligan, U.S. District Attorney for West Missouri, writing about the 1936 elections, told of an eye witness account of "the receiving judge lifting ballots from the box and slipping them unseen to an associate who, in

³³⁵ Chapter 9 sets out the contrasting relationship between Pendergast and Governors Park and Stark.

³³⁶ See page 157.

³³⁷ "25 Cents a Vote". *The Kansas City Star*. 13th March, 1934. p.1.

secrecy, changed them to suit the known wishes of the Pendergast machine.”³³⁸ Fraud involving bribes was hard to prove. For example, money not only may have greased the 1934 vote but may also have assisted Nelsonian views as voting offences were ignored.³³⁹ *The Star* reported: “The police witnessed what was happening and did nothing.”³⁴⁰ Summing up the 1934 election, *The Star* alleged that more ballots were counted than voters registered, “the rankest kind of election illegality.”³⁴¹

Newspaper commentary regarding claims and counter claims relating to election frauds was widespread throughout the 1930s, commensurate with the high levels of abuse and in stark contrast to the lack of reporting on local, day to day issues of Kansas City politics. Naturally, partisanship played its part. In the 1930 Congressional election, *The Missouri Democrat* reported: “The blunder of the campaign was the Republican affidavits hitting hundreds of legitimate voters. Instantly, the Democratic machine took up the fraud cry, crushing the Republicans.”³⁴² *The Democrat* took up the story of election fraud again in the 1932 City election. It reported that Republican Governor Caulfield had commented on publicity that the Kansas City primary election would be stolen. The editor stated: “For twenty years, Republicans have been crying fraud but the evidence is that the crooked work has been done by Republicans.”³⁴³ Sometimes, the press issued warnings, for example that by *The Star* in August, 1932: “Missouri voters will find trouble in the primary because of numbers on the ballot. If names not voted are not crossed out, the ballots will be invalid for the office concerned.”³⁴⁴ The false

³³⁸ Milligan, op cit, p.166.

³³⁹ “I see no ships” was a remark humorously attributed to Admiral Horatio Nelson, as he placed a hand over his one good eye.

³⁴⁰ “A Vote Mockery”. *The Kansas City Star*. 20th March, 1934. p.1.

³⁴¹ “What’s the Limit of Endurance?” *The Kansas City Star*. 27th July, 1934. p.3.

³⁴² “Democratic Leadership in Jackson County”. *The Missouri Democrat*. 7th November, 1930. p.1.

³⁴³ “Ah! Election Crook Stuff.” *The Missouri Democrat*. 20th May, 1932. p.4.

³⁴⁴ “Tomorrow’s Primary Election.” *The Kansas City Star*. 1st August, 1932. p.3.

registration scandal continued into 1936. In an editorial in September 1936, *The Star* asserted that “on the face of total registrations for Kansas City, numbers are suspiciously high, some 50% of the population.”³⁴⁵ The essential problem with all such assertions and editorials was in the low amount of factual and evidential content. Nothing was provable in the law courts. Securing evidence for the prosecution case would have been problematic when potential witnesses could have been bribed or intimidated.

The 1934 city election witnessed an outbreak of violence, unprecedented even for Missouri politics. The threat of violence during fraudulent voter registration was anticipated by *The Star* as it considered nascent protest by the New Youth Movement. “Election officials estimate that 75,000 persons would register today, breaking all records. The New Youth Movement was on the job early. No clashes were reported.”³⁴⁶ However, *The Star* reported subsequently that the Citizens Movement (formerly the National Youth Movement) had requested President Roosevelt to intervene in the city election to ensure its honesty and to have 500 national guardsmen sent to Kansas City “to respond to intimidation, beatings and kidnapping.”³⁴⁷ *The Star* continued the story, reporting that Johnny Lazia, a leader of organized crime and a Pendergast lieutenant, was heading a private army to terrorize and intimidate supporters of the Citizens Movement.³⁴⁸ Neither the federal nor the Kansas City authorities intervened. Presumably, Roosevelt denied the request because he assumed the federal government had no authority in such matters and, in any event, he was preoccupied with other problems. As for the Kansas City authorities, it is reasonable to assume they were influenced unduly by the Democratic organization.

³⁴⁵ “The Registration is Too High.” *The Kansas City Star*. 25th September, 1936. p.1.

³⁴⁶ “A Heavy Vote List. The Machine Far Ahead.” *The Kansas City Star*. 8th February, 1934. p.1.

³⁴⁷ “Vote Plea to President.” *The Kansas City Star*. 9th March, 1934. p.3.

³⁴⁸ “Blast at Lazia”. *The Kansas City Star*. 18th March, 1934. p.3.

The violence reached its height on election day. In a three page report, *The Star* reported that a Negro Democratic precinct captain was shot by polling place raiders and that another Democratic captain had been wounded.³⁴⁹ A *Star* reporter, Justin Bowerstock, was attacked, in a major breakdown of law and order. *The Examiner* similarly reported. By the following day, *The Star* was reporting that four victims had been shot dead in the election and that two 16th Ward Democratic leaders would be arrested.³⁵⁰ *The Democrat's* spin was that "the attempted assassination of the city's good name was an attempt to destroy the Democratic Party."³⁵¹ The subsequent resignation of Director of Police Eugene Reppert indicated the comprehensive failure of the Kansas City Police Department.

Any expectation that elections would be peaceful after the events of 1934 were dashed two years later, when *The Star* reported that violence had broken out in an Illinois primary.³⁵² No other newspapers carried a similar story so, perhaps, the incidence of violence on this occasion was either isolated or exaggerated. In September, 1936, *The Star* reported that fist fights and disturbances broke out on the second day of registration in Kansas City.³⁵³ If nothing else, the volatility of elections in Kansas City during the Pendergast era cannot be doubted. The situation was exacerbated by the Kansas City Police Department's failure to act properly to deal with the violence.

Interacting with the administration of elections, fraudulent practices in the conduct of election campaigns, better known as 'dirty tricks', were rife in the 1920s and 30s. The dirty tricks committed in the 1920s and 30s included espionage and sabotage, the former by diversion of mail, the latter in planting awkward questions at

³⁴⁹ "Death at Polls. Worker Slain." *The Kansas City Star*. 27th March, 1934. p.1.

³⁵⁰ "Bash After Gangs, 'Isn't My fault', Park." *The Kansas City Star*. 28th March, 1934. p.1.

³⁵¹ "The Democratic Victory". *The Missouri Democrat*. 30th March, 1934. p.4.

³⁵² "Violence in Vote". *The Kansas City Star*. 14th April, 1936. p.1.

³⁵³ "Strife At Polls." *The Kansas City Star*. 22nd September, 1936. p.1.

public meetings and causing disorder at such meetings. There was also ‘voter misinformation’, including blackening reputations with believable lies. In the 1926 State election, both the Democrat and Republican parties sought to damage each other’s reputations, occasionally with racist allegations. The Republican Party advertised in *The Star* that the Democrats had asked election commissioners to remove Negro Republicans from the electoral register, a slur on the Democratic Party.³⁵⁴ However, the Democrats retaliated the same day, advertising in *The Star* that Republicans had provoked the police to abuse and beat Negroes.³⁵⁵ In the 1930 city election, the Republican City Committee advertised in *The Kansas City Call* that the Democrats had lied about a Negro candidate.³⁵⁶ During the 1930 State election, Kansas City Mayor Beach alleged that city administrators had used intimidation tactics so that Ready Mixed Concrete, a Pendergast company, would receive city building contracts.³⁵⁷ Typically, *The Democrat* reported that the Democrats won the state election, “not because of vote theft but because they are united; there are no factional differences.”³⁵⁸ These ‘tit for tat’ exchanges may have been greeted with glee in the editors’ suites but they did nothing to further the cause of electoral reform.

Machines would also “work the system” by manipulation of official powers. In the case of the Democratic machine, the 1932 state election is a case in point. The organization “flooded Kansas City with 100,000 sample ballots marked for its slate of candidates, together with a letter from Tom Pendergast endorsing the slate.”³⁵⁹ Furthermore, evidence is cited below of campaign contributions being extorted from

³⁵⁴ “Disenfranchisement Strikes Kansas City.” *The Kansas City Star*. 22nd October, 1926. p. 3.

³⁵⁵ “Republicans responsible For Abuses and Beating of Negroes by Police.” *The Kansas City Star*. 22nd October, 1926. p.5.

³⁵⁶ “Exposing Lies”. *The Kansas City Call*. 21st March, 1930. p.3.

³⁵⁷ “Beach Affidavits False.” *The Missouri Democrat*. 8th November, 1929. p.1.

³⁵⁸ “Kansas City’s Wonderful Democratic Organization.” *The Missouri Democrat*. 14th November, 1930. p.4.

³⁵⁹ “The Boss’s Orders Out.” *The Kansas City Star*. 27th July, 1932. p.14.

city employees. Election finance has proved a thorn in America's political hide for decades. Today there is routine circumvention of the law through Political Action Committees. In the 1920s and 1930s, such circumvention was not necessary. There was little campaign finance legislation and such as existed had milk teeth and lax enforcement. Machine operatives were able to persuade local businessmen to make political contributions, presumably with implicit threats of what might occur if an appropriate contribution was not forthcoming.

In addition, the Pendergast machine would also seek 'voluntary' contributions from people whose jobs with Kansas City depended on the boss's patronage. In a story in February, 1934, *The Star* reported how "the Democratic organization has directed a levy against almost 4,000 city hall and courthouse job holders to produce a campaign chest in excess of \$100,000."³⁶⁰ The article set out scales of contributions from city employees, including a levy of 10% of salaries from those earning more than \$3,600 per annum. The machine characterised the contributions as 'voluntary'. Certainly, any employee who refused to pay the levy ran a serious risk of losing his or her job. It is likely that such extortion was conducted every two years in order to fund the Pendergast campaign chest.

Between 1925 and 1934, the Kansas City press printed sporadic stories and editorials about election fraud and reform. Many of the early stories can be characterised as partisan 'mud-slinging'. For example, *The Democrat's* front page story in December, 1925, falsely accused that "Republican election managers have taken prisoners to the polls and ensured they voted Republican."³⁶¹ In a March, 1930, editorial, *The Examiner* called for the use of voting machines to make it harder to

³⁶⁰ "Machine Levy \$100,000". *The Kansas City Star*. 15th February, 1934. p.1.

³⁶¹ "Debauching the Ballot Box." *The Missouri Democrat*. 11th December, 1925. p.4.

steal elections.³⁶² In October, 1930, *The Kansas City Call* offered a reward of \$100 for evidence proving fraud in the state election.³⁶³ During the 1932 city election, Rabbi Mayerberg's accusations of election fraud, as discussed in Chapter 6, were aired in the local press.

From 1934, *The Star's* reporting on election fraud intensified. In *The Star's* editorial in July, 1934, it asserted that The Civil Research Institution study found that more ballots were counted than voters registered in the City election.³⁶⁴ Concern about election fraud in Missouri even reached the columns of *The New York Times* which reported in May, 1936, that "Works Progress Administration politics, dominated by the Pendergast machine, have reached the point where persons are denied relief unless they permit their ballots to be marked by Democratic politicians".³⁶⁵ *The Star's* campaign to publicise election fraud allegedly committed by the Pendergast machine commenced in earnest in 1934, after the violent city election. Although the practice of election fraud had been widespread throughout Kansas City for years, few steps had been taken by the press and none by the local or state authorities before 1934 to challenge the wrongdoing. For the next two years, *The Star* ran a solitary campaign. Its only fellow traveller to go public was The Citizens League of Kansas City which demanded in October, 1936, that Governor Guy Park take action to clean up vote conditions in Kansas City.³⁶⁶ Nothing resulted from the demand.

After 1934, *The Star* wrote of the wrongs of the machine almost on a weekly and often a daily basis. Possibly, the editor may have considered a single issue campaign was more effective for his newspaper's readers than a multi-issue, diffusive

³⁶² "Election Frauds." *The Independence Examiner*. 12th March, 1930. p.4.

³⁶³ "Election Fraud Proofs." *The Kansas City Call*. 31st October, 1930. p.1.

³⁶⁴ "What's The Limit of Endurance?" *The Kansas City Star*. 27th July, 1934. p.3.

³⁶⁵ "Urges a Clean-Up of Missouri WPA." *The New York Times*. 23rd May, 1936. p.4.

³⁶⁶ "Must Purge Votes". *The Kansas City Star*. 8th October, 1936. p.1.

approach. The thrust of the complaints referred to fraudulent registration practices and intimidation. Indeed, in 1936, *The Star* even sought to pressurise the prospective Democratic gubernatorial candidate, Lloyd Stark, a man whom Pendergast had reluctantly endorsed, into supporting election reform. The message was clear, exemplified in an August, 1936, editorial that asserted “many political workers were in fear of losing their jobs if they became known as protesters. The frauds were open and flagrant.”³⁶⁷

On 4th September, 1936, *The Star* asked: “What action does Stark propose to take, given the degree of dishonesty?”³⁶⁸ Shortly before the 1936 congressional and state election, *The Star* reported that Kansas City was approaching the election with thousands of ghosts on the book lists.³⁶⁹

“The circuit court, designed to safeguard citizens’ right to vote, has been invaded by the system and legitimate voters are outnumbered by ghosts. The fraud system is thoroughly organized by the Democratic machine.”

Notwithstanding this apparent wealth of evidence of fraud, no action was taken until December, 1936, when a federal Grand Jury was empanelled to investigate such frauds.

While examples of *The Star*’s campaign against election fraud, occasionally supported by others such as *The Examiner*, have been mentioned in this chapter, *The Democrat* and *The Call* substantially turned a blind eye to the flagrant breaches of election law. Moreover, the effectiveness of *The Star*’s campaign has to be doubted. Despite its regular complaints of fraud against the Pendergast machine, nothing was done by the local political or legal powers to end the fraudulent practice until the federal Grand Jury probes commenced. The involvement of federal authorities is testament to the scale of the problem and the need for outside powers to deal with it.

³⁶⁷ “The Machine Cracks Down.” *The Kansas City Star*. 6th August, 1936. p.4.

³⁶⁸ “Dishonesty in Primary Vote.” *The Kansas City Star*. 4th September, 1936. p.5.

³⁶⁹ “Fraud Rolls On.” *The Kansas City Star*. 1st November, 1936. p.1.

Bearing in mind that *The Star's* editors and proprietors would have been well connected in Kansas City, perhaps the answer to the failure to prevent machine fraudulent election practice lay in the nature of the campaign conducted, one in which the complaints were so repetitive. The many stories and editorials were usually based on generalities, not hard fact. Alternatively, *The Star* proprietors may have been concerned about the damage that might be caused to the newspaper's business by an ineffective prosecution. Either way, *The Star* could not validly claim credit for the actions of the federal Grand Jury in 1936 and 1937 and the subsequent successful prosecutions against members of the Pendergast machine.

Effectively, the legal authorities, too, both in Kansas City and the state capital ignored what was happening in Kansas City elections until after the 1936 state and congressional elections. It was not because there was insufficient legal authority or provisions to mount prosecutions. By 1929, the state of Missouri had passed a comprehensive set of election laws under Chapter 61, sufficient to prevent most if not all of the voter frauds and abuses. Such laws were available to both state and local prosecutors, yet no prosecutions were instituted until the federal prosecutions of 1937 and 1938.

By 1929, Missouri election law was clearly sufficient to deal with many of the abuses practiced by the Kansas City machine. For example, there were provisions concerning registration, limiting the entitlement to vote to only those who were properly and lawfully registered. There were anti-bribery laws, covering the prevention of the use or threats of violence to induce a person to vote. The particular abuse known as "ghosting" which was the subject of complaints both in the local press and cartoons, was outlawed by legislation covering "personation", namely voting in the name of a fictitious or deceased person. The campaign waged by *The*

Star for electoral reform was misplaced. What the newspaper should have campaigned vociferously for was the enforcement of existing election laws.

The laws available to prosecutors before 1930 included:

Article 2, Section 10218: Concealing, destroying, etc tickets unlawful:

“It shall be unlawful for any person to steal or wilfully conceal, deface, mutilate or destroy any tickets that may be furnished by any organization or individual at any voting place.”

Article 4, Section 10239: Making fraudulent returns – penalty:

“Any judge, clerk or teller of any primary election held by any political party in this state, who shall make or return a fraudulent statement of the result of such election shall be deemed guilty of a misdemeanour.”

Article 5, Section 10269: Who entitled to vote:

“No person shall be entitled to vote at any primary unless a qualified elector of the precinct and duly registered therein, if registration thereat be required by law, and known to affiliate with the political party named at the head of the ticket.”

Article 7: Section 10333: Voter guilty of misdemeanour – when – penalty:

“Any person having in his possession any official ballot, except in the performance of his legal duty as an election official, and except in the act of exercising his individual voting privilege shall upon conviction be adjudged guilty of a felony and punished by imprisonment in the penitentiary not less than two years and not more than five years.”

Article 14: Section 10473 - 10475: Who deemed guilty of bribery:

S. 10473: “The following persons shall be deemed guilty of bribery at elections and shall be punishable accordingly: First – to give, lend or to agree to give or lend ...any money or valuable consideration to or for any voter...to vote or refrain from voting...at any election. Second – every person who shall...give...any office, place or employment to any person...for voting or refraining from voting at any election. Third – gifts, loans, etc to induce the election of a person to public office.”

[S. 10474 is similar to S. 10473 save that ‘First’ has been deleted.]

[S. 10475 is similar to S. 10473 but it applies to candidates paying or providing inducements to vote]

Article 14: Section 10476:

“Use of, or threat to make use of violence, etc to compel or induce persons to vote or impede or prevent voting is prohibited.”

Article 14: Section 10479:

“Officer of corporation threatening discharge of an employee, etc to influence employee is prohibited.”

Article 14: Section 10480: Personation of another:

“Any person shall, for all purposes of this article, be deemed guilty of the offence of personation, who at any election...applies for a ballot in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who having voted once at any election, applies at the same election for a ballot in his own name or any other name, and any person committing the offence or aiding and abetting, etc shall be guilty of a felony.”

Article 15: Section 10526: Illegal registrations:

“No person shall register in any election precinct other than the one in which he or she resides at the time of registration.”

Article 15: Section 10533:

“None but those registered shall vote.”

Article 12: Section 3686 of Chapter 29:

“In trials for conspiracy, in those cases where an overt act is required by law to consummate the offence, no conviction shall be had, unless one or more overt acts be expressly alleged in the indictment and proved on the trial; but other overt acts, not alleged in the indictment, may be given in evidence on the part of the prosecution.”

Chapter 30 of the Statutes

Article 7: Section 4243: Conspiracy:

“If two or more persons shall agree, conspire, combine or confederate: First, to commit any offence; or second, falsely or maliciously to indict another for any offence, or procure another to be charged or arrested for any offence; or, third, falsely or maliciously to move or maintain any suit; or, fourth, to cheat and defraud any person of any money or property, by means which are themselves criminal; or, fifth, to cheat and defraud any person of any money or property by any means which, if executed, would amount to a cheat, or to obtaining money or property by false pretences; or sixth, to commit any act injurious to the public health or public morals, or for the perversion or obstruction of justice, or the due administration of the laws – they shall be guilty of a misdemeanour.”

Article 7: Section 4244: What shall constitute conspiracy in certain cases:

“No agreement, except to commit a felony upon the person of another, or to commit arson or burglary, shall be deemed a conspiracy, unless some act besides such

agreement shall be done to affect the object thereof, by one or more of the parties to such agreement.”

Article 7: Section 4431:

“Any person or firm, or any person who is an officer or representative of any corporation, who shall conspire or enter into any form of collusion or combination with any other person or firm or with any other person who is an officer or representative of any corporation, for the purpose of restricting bids or limiting the number of bidders on any contract for the construction of a state highway, or levee or drainage ditch, or public building shall be deemed guilty of a felony, and on conviction shall be punished by imprisonment in the penitentiary for not more than five years and not less than two years, etc.”

By 1939, the statutes had been revised under Chapter 76 to include further provisions:

Article 2, Section 11479: Ballot of deceased person – rejection – filing:

“Whenever it shall be made to appear by due proof that any absent voter, who has returned his vote as provided in this article, has died prior to the opening of the polls on the date of the election, then the ballot of such deceased person shall be rejected.”

Article 2, Section 15111: Concealing, destroying, etc tickets unlawful:

“It shall be unlawful for any person to steal or wilfully conceal, deface, mutilate or destroy any tickets that may be furnished by any organization or individual at any voting place.”

Article 4, Section 11532: Making fraudulent returns – penalty:

“Any judge, clerk or teller of any primary election held by any political party in this state, who shall make or return a fraudulent statement of the result of such election shall be deemed guilty of a misdemeanour.”

Article 5, Section 11563: Who entitled to vote:

“No person shall be entitled to vote at any primary unless a qualified elector of the precinct and duly registered therein, if registration thereat be required by law, and known to affiliate with the political party named at the head of the ticket.”

Article 7: Section 11626: Voter guilty of misdemeanor – when – penalty:

“Any person having in his possession any official ballot, except in the performance of his legal duty as an election official, and except in the act of exercising his individual voting privilege shall upon conviction be adjudged guilty of a felony and punished by imprisonment in the penitentiary not less than two years and not more than five years.”

Article 15: Section 11780: Who deemed guilty of bribery:

“The following persons shall be deemed guilty of bribery at elections and shall be punishable accordingly: First – to give, lend or to agree to give or lend ...any money or valuable consideration to or for any voter...to vote or refrain from voting...at any election. Second – every person who shall...give...any office, place or employment to any person...for voting or refraining from voting at any election. Third – gifts, loans, etc to induce the election of a person to public office.”

Article 15: Section 11784:

“Use of, or threat to make use of violence, etc to compel or induce persons to vote or impede or prevent voting.”

Article 15: Section 11787:

“Officer of corporation threatening discharge, etc to influence employee shall be an offence.”

Article 15: Section 11788: Personation of another:

“Any person shall, for all purposes of this article, be deemed guilty of the offence of personation, who at any election...applies for a ballot in the name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who having voted once at any election, applies at the same election for a ballot in his own name or any other name, and any person committing the offence or aiding and abetting, etc shall be guilty of a felony.”

Article 17: Section 11874: Illegal registrations:

“No person shall register in any election precinct other than the one in which he or she resides at the time of registration.”

Article 17: Section 11881:

“None but those registered shall vote.”

The changes under Chapter 76 above may have cured some technical difficulties and have acted as a sop to those demanding electoral reform but the laws passed prior to 1930 were surely adequate to prevent most machine abuses of the election process.

In 1937, the federal Grand Jury brought thirty nine indictments of election fraud against 278 defendants, of whom 259 were convicted. The facts are readily available both in primary source material contained in contemporaneous press reports and in the 1948 hindsight account of US District Attorney Maurice Milligan. Given

the reputation of *The Star* for fair and balanced reporting, even though considered partisan, Republican, the press reports are probably accurate. However, whilst the factual account by Milligan may well be truthful, one cannot ignore his bias against Pendergast and his organization. For example, in writing about the 1934 elections, he asserted, “Pendergast would not be satisfied until he had his own Senator in Washington”, implying that he wanted Harry Truman as a US Senator.³⁷⁰ In fact, Truman was not Pendergast’s first choice for this office. Pendergast’s three prior choices for office turned him down for various reasons. As such, Milligan cannot cite Truman’s selection as evidence of Pendergast’s ‘ownership’ of a US Senator. Furthermore, Truman’s record in Washington gives the lie to Milligan’s assertion that he was Pendergast’s puppet. Nevertheless, Milligan’s views on the importance of an honest vote were clear: “I state one of my deepest convictions that when you corrupt my neighbour’s ballot, you corrupt mine. When you destroy the right of free men to cast an honest vote, you strike at the heart of democracy.”³⁷¹ Such sentiments help to explain the zeal with which the prosecutions were conducted by Milligan.

The story of the federal Grand Jury investigation broke in December, 1936, when *The Star* reported that “Federal Judge Reeves has ordered a new federal grand jury to investigate alleged fraud in the Kansas City vote in November.”³⁷² The following day, *The Examiner’s* editorial called for punishment of those involved in crooked elections as well as asking for an exposure of those election laws which were weak.³⁷³ Strangely, *The Star* went quiet on the story, whilst *The Democrat* responded with stories of Republican wrongdoings, for example that Kansas City employees had been threatened with job losses unless they voted for Alf Landon, the Republican

³⁷⁰ Milligan, op cit, p.134.

³⁷¹ Milligan, op cit, p.239.

³⁷² “US Into Votes Here”. *The Kansas City Star*. 14th December, 1936. p.1.

³⁷³ “Election Probe in Federal Court”. *The Independence Examiner*. 15th December, 1936. p.4.

presidential nominee.³⁷⁴ This was a wild and biased assertion. The vast majority of Kansas City employees owed their jobs to Democratic machine patronage and would hardly vote for the Republican candidate.

Once the trials started, *The Star* reported regularly whilst *The Democrat* and *The Examiner* ignored the prosecutions, no doubt because of their embarrassing content. Occasionally, the reporting was dramatic, such as the story of 2nd February, 1938, when “Judge Reeves pictured a reign of terror in Kansas City when he sentenced seven people in the tenth fraud trial.”³⁷⁵ *The Star’s* editorial the following day was illuminating:

“In sentencing yesterday, Judge Reeves pointed to conditions which honest citizens would not tolerate. Also, fear on the part of businessmen that their plants would be damaged, tax assessments raised, espionage, threatening phone calls and other harassment all deprived citizens of rights.”³⁷⁶

The best *The Democrat* could say, in a weak editorial response days later, was that Reeves had imposed cruel and unusual punishments on the seven defendants because he had been told privately of the reign of terror in Kansas City and that the judge, himself, had been intimidated.³⁷⁷ This assertion flies in the face of evidence given against the machine which illustrated the forcing of electors to vote. The accusation of Republican intimidation is preposterous, bearing in mind the pressures put on the judge by the Democrats. Fitzpatrick’s scorn of the brazenness of the Kansas City machine during the vote fraud case is clear from his March 1938 cartoon, on page 217 below, depicting mockery not only of the electoral rules but also of the court proceedings.³⁷⁸

³⁷⁴ “Demand Grows for Oppression Probe”. *The Missouri Democrat*. 25th December, 1936, p.1.

³⁷⁵ “A Blast At City”. *The Kansas City Star*. 2nd February, 1938. p.1.

³⁷⁶ “Citizens Can End It”. *The Kansas City Star*. 3rd February, 1938. p.4D

³⁷⁷ “Smearing The Town.” *The Missouri Democrat*. 11th February, 1938. p.4.

³⁷⁸ “The Front Door.” *The St. Louis Post-Despatch*. 31st March, 1938.

In the main, lower level officials of the Pendergast organization were prosecuted but a few higher-ups were caught too. For example, Frances Ryan, the Twelfth ward captain, was sentenced to three years gaol. As *The Star* reported, “she was an arch-conspirator and dominated the precinct.”³⁷⁹ Most defendants were fined. Pendergast’s reaction was to ensure the Democratic organization paid all fines and court fees and placed those incarcerated on salaries during their prison terms, at huge cost to the machine.³⁸⁰ The damage to the Pendergast organization was substantial. Although the machine won the 1938 elections, by the 1940 elections Pendergast was in prison, the organization was in disarray and election reform provisions, some of which are mentioned below, were on the state statute book.

The history of election reform in Missouri is checkered. The important reforms post 1938 included new registration laws. *The Star* first called in earnest for election reform following the 1934 City election, seeking a new permanent registration law.³⁸¹ The suggestion was echoed by *The Examiner* and *The Call* but not *The Democrat*, which remained silent on election reform throughout the period. However, it was not until 1938 that reform looked possible. A *Star* editorial in January, 1938, stated, “the most important business before Kansas City is honest elections. The state controlled election board is returning the ballot to citizens.”³⁸² Shortly thereafter, the state congress set up machinery for new registration laws, requiring formal applications from potential voters if they wished to register. As *The Star* stated in its editorial of 25th July, 1938, “Governor Stark kept his pledge for

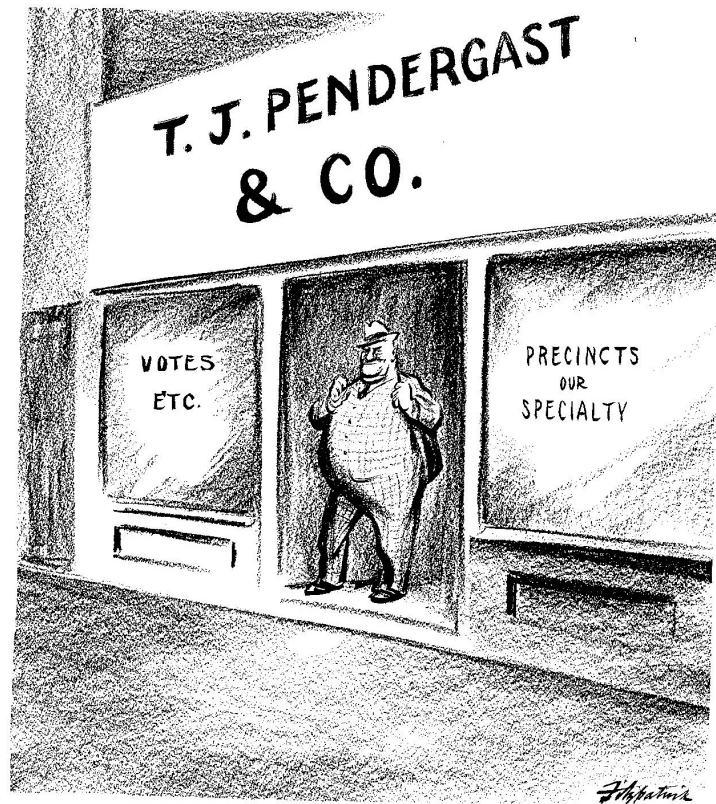
³⁷⁹ “Mrs Ryan Loses”. *The Kansas City Star*. 15th November, 1938. p.1.

³⁸⁰ Larsen and Hulston, op cit, p.126.

³⁸¹ “Really Enough Registrations?” *The Kansas City Star*. 13th June, 1936. p.3.

³⁸² “Good Business for Kansas City”. *The Kansas City Star*. 8th January, 1938. p.4. (See p. 162 above for an explanation of election boards.)

honest elections in Missouri. The governor did not appoint an election board to suit the local Democratic organization.”³⁸³



THE FRONT DOOR.

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Given the breadth of election laws available to prosecutors before 1937 and given that the campaign of *The Star* concerning election fraud commenced in 1934, it is difficult to explain the reluctance of the authorities at state level to challenge the might of the Pendergast machine. Those at city level who were in a position to prosecute Pendergast’s machine personnel did not do so because they owed their jobs and livelihoods to Pendergast. It is not surprising that those who might have had the power to effect change did not bite the hand that fed them. Such an excuse is not

³⁸³ “A Pledge That Was Kept”. *The Kansas City Star*. 25th July, 1938. p.4D.

available to those at state level. Possibly, the failure is attributable to cowardice, to a fear of intimidation and physical reprisal if the machine was challenged, as well as congressional members from Kansas City and Jackson County fearing that Pendergast might remove his patronage from them. Equally likely, it was a combination of two factors. First, it was the failure of political will, meaning “the commitment to which those in a position of leading others are determined to devote energy, efforts and resources to fight corruption.”³⁸⁴ Second, many Kansas City and Jackson County voters were not bothered about damage to the franchise. They were far more concerned about the services provided by the machine which might be impaired if the machine was not in power. Whatever the case, the Pendergast organization found a way to dominate elections unfairly in Kansas City for a very long period, in the classical model of machine control. Local pressures to end corrupt practices were entirely ineffectual. It took the power of the federal government to bring the Kansas City machine to heel.

³⁸⁴ Speech made by Miria R. K. Matembe, Ugandan Minister of State for Ethics and Integrity on 29th May, 2003. www.wcoomd.org/ie/en/topics_issues/customsmmodernizationintegrity

Chapter 9.

“What we need in Washington is a president who, instead of covering up, cleans up.”
Richard Nixon (during the 1952 presidential campaign).

Corruption: Machine Business, Organized Crime and the Downfall of Tom Pendergast.

There are many degrees of honesty and very few people that can rightfully claim to be totally honest. Government, too, may not always act with perfect honesty but democratic societies require that there should be no corruption in government, failing which citizens can have no confidence that their political rulers have not been bought. There is no agreed, comprehensive, legal definition of ‘corruption’. It is a collective noun for corrupt practices encompassing both criminal offences and civil wrongs such as bribery, election tampering and exercising undue influence. The American Constitution makes no reference to “corruption” in setting the terms for a president’s impeachment, although Article II expressly mentions bribery. The word ‘corrupt’ has a strong moral implication. Lord Simon suggested it amounted to “conduct which, though not criminal, a jury might find destructive of the very fabric of society.”³⁸⁵

This chapter will consider various definitions of corruption and examine suggestions that, in certain societies, corruption is inevitable and, potentially, not harmful. However, corruption is usually pervasive and influential. In the case of most long-lasting political party machines, corrupt behaviour was the *modus vivendi* for survival. Therefore, after a broad overview of moral and legal standards relating to corruption, the chapter will consider specific instances of corruption involving the Pendergast machine, especially corrupt practices within the machine and their

³⁸⁵ *Kneller (Publishing, Printing & Promotions) Ltd v Director of Public Prosecutions*. [1972] 2 All ER 898 at 932. This element of the judgment was obiter.

interaction with outside individuals and organizations. Links between Pendergast and organized crime, and the resulting cost to Kansas City will feature. It will outline and give reasons for the aforementioned prolonged failure of the local press to uncover Pendergast's personal fraudulent acts as well as trace the reporting of Pendergast's downfall for tax evasion in *The Star*, the only local newspaper to carry the story in any depth, notwithstanding that *The New York Times* reported the story in detail. In addition to specific corrupt instances, the chapter will comment on other omissions by local newspapers, specifically their failure to compare the actions of Governors Park (1933-1937) and Stark (1937-1941) in relation to the insurance litigation between a consortium of insurers and the State of Missouri, which led to charges against Pendergast for federal income tax evasion. Tangentially, it will speculate on the reasons for lack of evidence in the archives of Governor Stark and President Roosevelt (1933-1945) concerning Pendergast. It will consider why the local newspapers failed to call for civil action to be taken against both Pendergast and the fire insurance companies for restitution of the insurance settlement funds fraudulently obtained. Finally, with the passing of Tom Pendergast, it will offer a rationale for the ending of second phase machines.

Michael Johnston defines corruption in both legal and political terms as:

“Abuse of a public role for private benefit in such a way as to break the law or formal administrative regulations. It is also behaviour which deviates from the formal duties of a public role because of private-regarding wealth or status gains.”³⁸⁶

John Noonan defines bribery, an aspect of corruption, as “the improper reciprocation with an officeholder for an act intended by society to be gratuitous.”³⁸⁷ Arnold Heidenmeier suggests that “a public official is corrupt if he accepts money or money's

³⁸⁶ Johnston, op cit, p.8.

³⁸⁷ John T. Noonan, Jr. *Bribes*. (New York. 1984. Macmillan Publishing Company).p.685.

worth for doing something that he is under a duty to do anyway, or that he is under a duty not to do, or to exercise a legitimate discretion for improper reasons.”³⁸⁸ Colin Leys suggests the results of corruption are: “to change from good to bad, to debase and to pervert.”³⁸⁹ Whilst such definitions have semantic differences, their thrust is broadly similar. An act is corrupt if privilege is accorded wrongfully by and to the few at the expense of the many. For the purposes of this chapter, corrupt conduct is defined as something that regularly flouts society’s legal rules and separately breaks a moral code by undermining the normal and acceptable behavioural rules of society. Almost invariably, it involves the secretive passing of money.

Judgment of what amounts to a corrupt act will vary, depending on the times and society’s rules. For example, George Washington Plunkett’s “honest graft” was legally acceptable in the 1870s, even if early Progressives might have frowned upon its morality. Nowadays, “honest graft” would be termed “insider dealing”, which is both a federal and state criminal offence. The Plunkett phrase calls into question how a possibly immoral act becomes judged as legally corrupt. How would a potential offender have determined the boundary of legality and morality? Was it reasonable to expect a businessman in the 1920s and 30s to act within a moral code when the action in question was licit? If society’s leaders were opposed to conduct which they found morally offensive, they could and should have legislated against it.

Machines were not necessarily corrupt. The Bird machine of Virginia has enjoyed a hindsight clean reputation.³⁹⁰ Many fundamental machine techniques were perfectly legal, such as strong party discipline, capitalizing to advantage on divisions

³⁸⁸ John A. Gardiner and David J. Olson (eds). *Theft of the City. Readings on Corruption in Urban America*. Arnold J. Heidenmeier. “Definitions, Concepts and Criteria” (Bloomington. 1974. Indiana University Press.) p.18.

³⁸⁹ Colin Leys. “What is the Problem about Corruption?” *The Journal of Modern African Studies*, Vol. 3, No. 2. (Aug., 1965), 215-230. p.216.

³⁹⁰ Benson, op cit, p.xiv.

in social structure and making strong efforts to turn out votes in elections. Whether a machine made a city work or not was measurable in the services provided, not laws passed.³⁹¹ Robert Merton suggests that moral evaluations in a society tend to be in terms of a manifest consequence of a practice or code.³⁹² Therefore, the evaluation may be made with hindsight: historians today judge the inter-world war political party machines generally as bad and undesirable, the grounds being the machines' violation of moral codes, rather than their pragmatic practice. For example, patronage violates the code of selection based on merit; bossism violates the code of fair elections based on appraisal of candidates and issues, rather than loyalty to a leader; graft offends the proprieties of property and fair dealing. Furthermore, corrupt practices lead to results detrimental to the long term interests of citizens, a view perhaps more readily established with hindsight.

Absolute moral standards are simplistic. They can also be self-defeating in attempts to have one dictum cover a multiple of situations. When they are applied to political machine practice, they do not take into account the arguable degrees of corruption and questions of scale. The padding of five dollars worth of expenses by a city employee may be deplorable but hardly on the same scale of corrupt behaviour as the disbursement of five million dollars from taxpayers' funds through graft, where the adverse effect may also include loss of city jobs.

Breaches masquerading as legitimate transactions, too, may have a serious adverse effect on voters. Consider the Pendergast machine practice of seeking 'voluntary' contributions from city employees, which was an accepted practice in the 1930s. Today, such a practice would be outlawed on several grounds including undue influence and coercion. Undue influence is a tort, not a breach of the criminal code:

³⁹¹ Banfield, *op cit*, p.242.

³⁹² Merton, *op cit*, p.123.

“Courts of equity will set aside a transaction entered into as a result of conduct which, though not amounting to actual fraud or deceit, is contrary to good conscience.”³⁹³ It not only assumes that someone in a position of authority can exert pressure on another to do something which he or she would not otherwise accede to but it also introduces a concept of abuse of a relationship which may not otherwise be a legal breach. Lord Romilly defined coercion thus: “The moment that the person who influences the other does so by threat of taking away from that other something he then possesses...it becomes coercion and ceases to be persuasion or consideration.”³⁹⁴ In a sense, anyone is coerced who, under pressure, does something he would not otherwise do. In the 1930s, voluntary political contributions from city employees to fund election campaigns were treated as legitimate but it is probable that had a court examined the true nature of the ‘voluntary’ aspect of such payments, it would have held that undue influence or coercion was exercised by machine leaders. The payments would have been declared unlawful and a restitution order made. Arguably, city employees may have been glad to contribute because they knew a successful election outcome would probably assure the continuation of their jobs. The reverse may also have applied, as a refusal to contribute could have resulted in job loss. For the machine, considerations of legitimacy would have been irrelevant.

If it had been alleged that city employees were being blackmailed into making contributions, such a charge would have failed. A person is guilty of blackmail if, with a view to gain, he makes an unwarranted demand with menaces.³⁹⁵ Since the “demand” was often publicised and was known to be part of the machine election process, no criminal allegation would have been prosecuted successfully. Ultimately,

³⁹³ John B. Saunders, ed. *Words and Phrases Legally Defined. Third Edition.* (Butterworths. 1988. London.) p. 1220.

³⁹⁴ *Bills v Barker* (1871) 40 LJ Ch 603 at 607.

³⁹⁵ Saunders, *op cit*, p. 32.

the practice of seeking election contributions would have become an established course of dealing, something on which the machine could therefore rely in its defence. Questions of campaign morality would simply not have been raised by machine leaders, as pragmatists pursuing accepted courses of action.

There is evidence that employee contributions were systemic. Raymond Wolfinger's study of New Haven, Connecticut machine politics asserts that holders of machine jobs were assessed 5% of their annual salaries in municipal election years and 3% in other years by the party in power.³⁹⁶ The Hague machine operated the same system of contribution. Probably, contributions were levied by the majority of machines, which does not validate their ethics. The practice was a clear abuse of patronage power, even if not corrupt in legal terms.

In addition to levying contributions out of employees' salaries, some machines also exacted a price to buy city jobs. Anton Cermak's Chicago machine regularly sold jobs as part of its patronage package. "Employees would borrow from their credit union to buy city jobs. A carpenter foremanship went for \$750 and it cost \$8,000 to buy your way up to be a fire battalion chief."³⁹⁷ This corrupt and corrupting practice, to those partaking of it, was a clear abuse of patronage power.

In Chapter 3, the monopolistic position of the Kansas City machine was discussed. One of the more insidious effects of that monopoly was to translate corrupt machine practices into pervasive established dealings, whether in relation to city employees or supplicant businessmen. For example, in procuring the grant of licences and permits for the operation of businesses in Kansas City, machine apparachiks would not have cared about any illegality or immorality in seeking payment for the service because, locally, there was no one to stop them. The fact that businessmen

³⁹⁶ Wolfinger, op cit, p.367.

³⁹⁷ Bill and Lori Granger, op cit, p.92.

were coerced into making regular payments tainted by corruption, for example to secure city contracts, would have spelled revenue, not evil, to the machine. Kickbacks were the norm. Machine control of the three estates of government at city level made the machine inviolate from prosecution or law suit and businessmen would know their businesses would suffer, if not cease, by standing up to the machine. The very absence of constraint merely encouraged the illegality and immorality.

Corrupt practices have pragmatic apologists. Leys writes that substantial arguments have been put forward to suggest that the public interest may sometimes encourage corruption.³⁹⁸ Democratic policies in mass societies, he argues, can only be ensured by the integration of a multitude of interests and groups into political parties, capable of furnishing leadership and cohesive policies. Such integration involves organization and inducements, both of which cost money. Therefore, Leys states, politics must be made to pay and the political role of money is to serve as cement, meaning that money facilitates getting things done.

Leys hints that political money sometimes acts as a magnet for corrupt practices and an invitation to weaker politicians to accept campaign money in exchange for favours. Leys's apparent coyness may stem from the desire to retain the general argument, rather than look at the seamier realities. Nowadays, whether in Washington D.C. or a state capitol, exchanges for favours might be termed lobbying. It is instructive how the line which divides political corruption from acceptable practice blurs. Certainly, this ambiguity worked to the advantage of a machine. A politician accepting promotion in exchange for agreeing a policy may have been deemed corrupt, yet "logrolling", the political practice of representative A agreeing to

³⁹⁸ Leys, op cit, p.219.

vote for representative B's policies in exchange for B agreeing to vote for A's policies, was and remains an acceptable part of American political life.

Eric McKittrick supports Leys. McKittrick argues that historically the corrupt machine system has performed certain stabilising functions and that there is a possible correlation between the rise to social acceptability and the stabilization of particular forms of corruption.³⁹⁹ He does not go so far as to assert that certain forms of corruption are universally acceptable but, for example, he suggests that machines have helped clean up racketeering. In doing so, he ignores the link between machines and organized crime, as well as the exponential growth of unconstrained corruption. Perhaps, what McKittrick had in mind was the Pendergast solution: in 1933, when citizens of Kansas City were concerned about numerous burglaries, robberies, kidnappings and murders, Pendergast suggested petty misdemeanours, such as gambling, should be overlooked by the police who could then concentrate on more serious offences.⁴⁰⁰ The implicit trade-off was that minor acts of corruption became permissible, notwithstanding the damage that might be caused. Neither Leys nor McKittrick argue that ends justify means or that greater good can come from lesser evil, two conclusions which would seem to follow naturally from their qualified support for corruption. Ironically, these conclusions might be close to Pendergast's own *modus vivendi*, as discussed previously.

Leys's and McKittrick's argument for the necessity of endemic corruption is flawed. In general, post-war democratic politics in American cities operated without overriding corruption. Where corruption has been found, attempts have been made to root it out. For example, the Daley Chicago machine has changed considerably since the 1960s. It is now regarded as legitimate, especially because the leadership has

³⁹⁹ Eric L. McKittrick. "The Study of Corruption." *Political Science Quarterly*, Vol. 72, No. 4. (Dec., 1957), 502-514. p.511.

⁴⁰⁰ Reddig, *op cit*, p.218.

ceased to be overtly greedy. Nationally, the Enron scandal resulted in a stricter set of US lobbying laws being proposed, although not all were passed into law. Furthermore, a series of business scandals, including World Com and Tyco International, resulted in new, strict business compliance regulations enforced by acts of Congress, such as the Sarbanes-Oxley Act of 2002. In a free society, it must be accepted that if one party to a transaction is determined to corrupt and another is weak enough to accept the fruits of corruption, no law can prevent the act. It can merely punish. However, the act of lawful punishment invalidates the corrupt practice and is a bulwark against the 'established practice' argument.

What is at issue in determining whether, in public life, an act is corrupt is whether the standard of behaviour of the act in question breaks some contemporaneous rule, written or unwritten, about the proper purpose of a public figure, officer or institution. There is a clear legal distinction on the one hand between private profit by public servants at the expense of public welfare and, on the other, private profit by public servants obtained as a concomitant to service in general welfare. The former is corrupt. The latter, whilst morally questionable, would not have been considered corrupt in the 1920s and 1930s because public welfare was unaffected.

John Noonan has considered the bribery aspect of corruption.⁴⁰¹ As indicated above, he defines bribery as the improper reciprocation with an officeholder or recipient for an act intended by society to be gratuitous. However, crucially, he asserts that bribery should not be the subject of moral judgment. He argues for the inevitability of bribes, on four grounds. First, everybody does it and payoffs have always been made. This is the argument that equates to an established course of

⁴⁰¹ Noonan, *op cit*, pp.683-5.

dealing, thus no one can complain. The argument might have a better chance of success had Noonan made it a condition of the bribe that it be transparent but this would probably negate the purpose of the bribe.

Second, Noonan states that bribes are necessary, that we live in the real world and even President Lincoln (1861-1865) used presidential patronage to obtain Democratic votes. This is the argument of pragmatism and *realpolitik*. As bribes are illegal under criminal law, the argument fails. It has been argued that patronage, *per se*, is not unlawful but Noonan's automatically equating it with bribery is specious. The third Noonan argument is that reciprocities are generally accepted as legitimate, for example an exchange of gifts. Politically, this is a stronger point, especially when one considers that logrolling, as mentioned above, is an acceptable practice. However, if the gift initiating the exchange is a bribe, then it is tainted with illegality.

Finally, Noonan opines that the material effect of an exchange is either trivial or undemonstrated and that rules of purity designed to impose order on chaos rest on no rational basis. This argument equates to the last refuge of a scoundrel, effectively that there is little point to financial probity. With this thinking, one must question the kind of society envisaged by Noonan. Furthermore, when applied to machines like Pendergast's in Kansas City, the argument of triviality of bribery exchanges is suspect. Exchanges might have been small on occasion but, taken over a period of time, the aggregate of payoff exchanges would likely have been substantial. It is impossible to find much evidence in support of this contention but the bribe of \$45,000 paid by Pendergast to Emmet O'Malley (see below) is an example.

James Q. Wilson has offered three major theories of governmental corruption.⁴⁰² First, low values are placed by leaders on probity and efficiency, whilst

⁴⁰² Banfield and Wilson, *op cit*, p.283.

high values are placed on favours, personal loyalty and private gain. Even if the former is an inaccurate description of machine practice, the latter is pertinent. Second, Wilson believes that corruption results when ordinary men face extraordinary temptations and that the social system holds out prizes of power and wealth if men are bold enough to seize them. Wilson suggests that when government is corrupt, the corruption arises mainly because society offers a reward. In terms of machine practice, this is only partly applicable. Whilst machine leaders may be the sort of characters who grab prizes, they need to corrupt weaker beings to collusively achieve their ends. Finally, Wilson argues that American government is so constituted through separation of powers that it cannot be carried on without corruption. The boss, the machine, the political party, the leaders and the bagmen all operate to concert the actions of legally independent branches of government, facilitated through exchange of favours. As Florence Allen observed, “Al Capone would not have existed if decent men in Chicago had not for decades handed government over to the least desirable class of citizenship.”⁴⁰³ However, Wilson did not consider complicity, namely the inertia of potential whistle blowers who could have exposed wrongdoing. Wilson might have responded that whistle blowers are rarely rewarded and often suffer.

It is simplicity itself for an accusation of corruption to be made against any individual in power. However, Leys suggests that to analyse an allegation of corruption, certain questions need to be raised.⁴⁰⁴ What action is being called corrupt and did it happen? Who defines the purpose which is being promoted or prevented as a proper or official purpose? Who regards the alleged corrupt act as perverting the official purpose? What are the short and long-term consequences of the behaviour in

⁴⁰³ Florence E. Allen. “Remedies Against Dishonest or Inefficient Public Servants.” *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), pp 172-183, p.174.

⁴⁰⁴ Leys, op cit, p. 221.

question? To these questions, others should be added. Is the action a breach of criminal or civil law? If it is not a breach, how will the action be assessed as a moral failing? What is the scale of the corrupt act? Is it public or private?

It is worth applying such questions to the systemic actions of Henry McElroy, Kansas City town manager from 1925 to 1939 and notable Pendergast puppet. In the name of efficiency, McElroy often made purchases for the city when there had been no bids.⁴⁰⁵ Instead, ‘worthy members’ of the Pendergast organization received city contracts without competition. If it was an acceptable municipal practice to award contracts without going through a bidding process, then by Leys’s standards, McElroy’s conduct was not corrupt. McElroy resigned in 1939, shortly after Pendergast’s fall and imprisonment, and died while facing a fraud indictment. The city auditor found McElroy had “misplaced” some \$20 million over his years of office, using a unique system of bookkeeping. This figure equated to nearly twice the city’s annual budget in 1938.⁴⁰⁶ The Audit of Bond Programme alleged that more than \$11m had been spent during McElroy’s stewardship in a manner that violated charter provisions on the letting of contracts, implicitly with some of the funds finding their way to McElroy’s personal account.⁴⁰⁷ It is not known to what extent Pendergast benefited financially from McElroy’s appointment. It can be inferred that McElroy was in an ideal position to award city contracts to Pendergast companies without serious challenge. One wonders whether, faced with this evidence, Leys might take a different position on McElroy’s municipal bribery practice.

However, according to Leys, even if the contracts practice was the accepted norm and even if contracts were being placed using inflated prices, the official

⁴⁰⁵ Timothy K. Evans. “*This Certainly Is Relief!*” *Matthew S. Murray and Missouri Politics During the Depression*. Missouri Historical Society Bulletin 28. (July 1972). 219-233. p.220.

⁴⁰⁶ David McCullough. *Truman*. (New York. 1992. Simon & Schuster.) p.239.

⁴⁰⁷ Reddig, op cit, p.185.

purpose of government may not have been thwarted unless the uninflated contract prices would have produced sub-standard results, causing a monetary loss to the taxpayer through the city having to repeat the works. Herein lies the essential difficulty with Leys's theoretical approach: it cannot assess how the alternative would have operated if corruption did not exist. In cases of alleged corruption, each needs to be judged on its own merits, rather than within a broad-based theory which accepts corruption as a given and padded prices as status quo.

As an example of a particular case, how would Leys judge one cited by William Reddig, of an intervention by Carl Pleasant of Tulsa, Oklahoma, into Pendergast's Ready Mixed Concrete operation with Kansas City? The evidence is anecdotal and one which Reddig cites as an example of protecting 'native enterprise'.⁴⁰⁸ Reddig gives no date for the incident in question. Pleasant was awarded seven cement supply contracts by the Kansas City Park Board, which was then under Republican control. Following completion of the works, McElroy had them inspected and found that Pleasant had skimmed on the contract. Pleasant made substantial refunds to the Park Board and, according to Reddig, returned to Tulsa, never to do business again in Kansas City. One must allow for the possibility that Pleasant had indeed been guilty of skimping. However, Pendergast's reputation for exercising a virtual monopoly on the placing of cement contracts in Kansas City leaves open the possibility that, using McElroy as an intermediary, Pendergast had Pleasant scared off. If so, the averting action by a city official was undoubtedly corrupt, especially as there may have been more than a veiled threat of intimidation. More importantly for the machine, Pleasant's departure enabled preference for a local citizen to resume cement contracts, without recourse to commercial consideration or rival bidding.

⁴⁰⁸ Reddig, *op cit*, p.137.

Moral absolutes are themselves dubious, when applied to consideration of corrupt acts. Shifting values and times, the circumstances of a particular case and the need for expediency and pragmatism are all potential mitigating factors. For example, during his term as county judge, an administrative, not a judicial appointment, Harry Truman wrote of his efforts to limit corruption in the placing of road and municipal contracts for Jackson County. He was proud of his record, even though it was far from perfect. There has been no sustained allegation that Truman personally benefited from the contracts in question but if corruption is to be regarded as a moral absolute, then Truman himself must be considered corrupt as he was a party to corrupt contracts. The politics of Kansas City prevented Truman from blocking all corrupt contracts, yet he considered he did the best he could to control the damage corrupt practices could cause.

Significantly, Truman seems to have believed that Kansas City politics were cleaner than other cities because of machine leadership.⁴⁰⁹ That such a pragmatic politician should have looked at his home city through ostensibly rose-coloured glasses is not explained, though it suggests a degree of self-exculpation. Perhaps he meant that the machine was efficient, got the job done and that most citizens were protected from exposure to criminal elements in Kansas City and Jackson County society. However, by 1932 Kansas City enjoyed a reputation as one of the most corrupt cities in America. In that year, journalist Ed Murrow compared Kansas City to such notorious world sin centres as Singapore and Port Said.⁴¹⁰ Another observer stated: “The cleaning up of Omaha, Nebraska, where authorities closed sixteen

⁴⁰⁹ Dunar, *op cit*, p.7.

⁴¹⁰ Larsen and Hulston, *op cit*, p.100.

hundred illegal saloons and a large red-light district, presented Kansas City with close to a monopoly on large-scale iniquity west of Chicago.”⁴¹¹

The renowned American politician and sociologist, Daniel Patrick Moynihan, wrote this insight into the link between politics and crime:

“Crime has not only corrupted American government for its own purposes: it has also tended to immobilize government for many other purposes. The problems of the American city...are not going to be solved by the dimwits whose campaigns are financed by the syndicates. And is there any reason to suppose that the leaders of organized crime are incapable of perceiving that they will be better off if American municipal government remains fragmented, uncoordinated, and in the hands, as much as possible, of incompetents?”⁴¹²

Moynihan realised that crime needs the upper hand in order to achieve its aims and that meritocracy becomes a distant dream. For citizens living in times when organized crime dominated the commercial and social life of a city and when police links with the criminal fraternity overrode their responsibilities to honest citizens, the situation must have created substantial difficulties. An immobilized government is one where policy discussion is frozen and where response to demand by citizens for change is met with silence. If that government is also one that is returned to power time and again, democracy itself is threatened. All of the foregoing applied to Pendergast’s reign in Kansas City.

In the early 1930s, Kansas City local newspapers reported comparatively little of links to organized crime and racketeering except for certain notorious cases. Certainly, all the newspapers reported extensively on killings, such as The Union Station Massacre in 1933, when a criminal and the four policemen guarding him were murdered. In short, by then Kansas City enjoyed a reputation as ‘a wide open town’, one in which political, social and moral corruption was rife. Pendergast declared it differently. In 1933, he boasted that while gambling and slot machine complaints

⁴¹¹ Larsen and Hulston, op cit, p.100.

⁴¹² John A. Gardiner. *The Politics of Corruption. Organized Crime in an American City*. (New York. 1970. Russell Sage Foundation.) p.77.

might be frequent, Kansas City afforded its citizens greater protection from violence and crime than any other American city.⁴¹³ Pendergast, as has been ironically suggested, could have used the argument of greater good for lesser evil, or merely “better the devil you know.”

In a sense, Pendergast’s boast conflicted with fact. There was a hidden cost, contained in the implicit Pendergast threat that his removal would result in the untrammelled unleashing of the criminal element in Kansas City. His organization had long-standing links with the criminal fraternity. Whilst political corruption pervaded all aspects of Kansas City society, arguably it was at its most manifest when linked to organized crime. In his book on the Irish American criminal fraternity, T. T. English wrote that in May 1929, a three-day conference was held in Atlantic City, shortly after the St. Valentine’s Day massacre, where the attendees included notorious figures like Dutch Schulz and Meyer Lansky. “From Kansas City came Johnny Lazia, who was said to represent the interests of the Pendergast machine, an Irish American consortium that had turned Kansas City into an unlikely underworld haven during the years of Prohibition.”⁴¹⁴

Johnny Lazia was a Pendergast lieutenant, who ran the North Side Democratic Club “and headed a home-grown crime syndicate in Kansas City.”⁴¹⁵ According to Larsen and Hulston, Lazia had an agreement with the Kansas City Police Department so that fugitives from justice would be granted protection in Kansas City.⁴¹⁶ Lazia was convicted of federal income tax evasion in February, 1934, and murdered later that year. It is difficult to explain why Pendergast should have tolerated a person like

⁴¹³ Virgil W. Peterson. “The Myth of the Wide-Open Town”. *Journal of Criminal Law and Criminology*. (1931-1951)(2) 1948. Northwestern University. 288-297. p.289.

⁴¹⁴ T. T. English. *Paddy Whacked. The Untold Story of the Irish American Gangster*. (New York. 2005. Regan Books.) pp. 171-2.

⁴¹⁵ Larsen and Hulston, op cit, p.108.

⁴¹⁶ Larsen and Hulston, op cit, p.110.

Lazia as part of his organization. Possibly, Lazia facilitated Pendergast's pursuit of money. Perhaps, Pendergast was sucked into a relationship with the mob from which he could not extricate himself. Arguably, both men perceived a benefit and neither looked at later consequences. As with Emmett O'Malley, Pendergast liked to work through third parties to achieve his ends, the normal act of a political boss who wanted deniability.

The local press substantially ignored Pendergast's part in this relationship and, unlike their treatment of Lazia, made no accusations of extortion against Pendergast, whereas Lazia was the subject of several adverse newspaper stories alleging extortion and other criminal activity. In a front page story in May, 1932, *The Star* reported that Lazia was trying to extort a membership fee of \$250 plus 5% of gross receipts for his Cleaners and Dyers Organization from sixty of the city's dry cleaners.⁴¹⁷ *The Star's* story did not use the expression "protection racket" nor was it able to report that police were investigating the allegations. Lazia's trial for tax evasion and his subsequent murder was also reported extensively, with the occasional mention of his links to the Kansas City machine. There is no doubt that Pendergast remained the leader of the Kansas City Democrats but he gave Lazia a great deal of autonomy, no doubt because of Lazia's position within organized crime. That Pendergast himself may have been frightened by the mob is speculative. Lazia and Pendergast operated in two separate spheres of influence but in both, favours granted meant smoother operations and profits for all, not unlike Wilson's paradigm of government.

In contrast to *The Star's* concern for the reputation of Kansas City, in 1933 *The Democrat* supported the Democratic machine, in a story congratulating Governor Park for "denouncing slanders on the good name of Kansas City" and claiming that

⁴¹⁷ "A Cleaner Racket". *The Kansas City Star*. 13th May, 1932. p.1.

conditions there were better than in the average large city.⁴¹⁸ “No reasonable person can blame Tom Pendergast for undesirable characters who are released from Leavenworth.” Of Johnny Lazia, *The Democrat* stayed true to type. In an editorial in February, 1934, it observed: “John Lazia may be guilty of the charge of income tax evasion but we fear he will have a difficult time beating more serious raps. He is a Democrat and of Italian parentage.”⁴¹⁹ The criminal had become the victim. Had *The Democrat* known in 1933 of the fate that would befall Pendergast six years later, it would no doubt have written in similar terms of the Boss, changing “Italian” for “Irish American”. Yet the circumstances surrounding Pendergast’s downfall exposed his greed and his willingness not only to act corruptly himself but also selfishly to corrupt others around him for his own benefit.

There were two principal causes behind Pendergast’s personal corruption and downfall. First, Pendergast had the ability to control the city and state judiciary and legislature, and hide from public exposure by the local press, over many years. Those newspapers’ alarm bells should have been ringing loudly to expose a massive fraud in which Pendergast was implicated, when editors should have been demanding restitution of substantial funds for the state’s insurance policyholders, many of whom were individual citizens and readers. Second, Pendergast’s was addicted to gambling on horse races. He was an inveterate gambler and huge loser. There was a link between Pendergast’s betting losses and the extraordinary brokerage fee demanded by him for helping to settle a legal case. The fee was to be paid to him in cash and, no doubt, passed to his bookies. Here was an example of ends justifying means, as suggested above on pages 188 and 189, where corrupt practices led to moral shortcuts.

⁴¹⁸ “Park Lashes back at Slanderers.” *The Missouri Democrat*. 6th October, 1933. p.1.

⁴¹⁹ “John Lazia.” *The Missouri Democrat*. 9th February, 1934. p.4.

Through the assiduity of the U.S. Treasury, on 22nd May, 1939, Pendergast pleaded guilty to two counts of federal income tax evasion. Four years earlier, he had agreed to accept a brokerage fee of \$750,000 for helping to achieve a settlement of litigation between 137 fire insurance companies and the State of Missouri, acting for policyholders, concerning alleged excessive premiums. The brokerage agreement was made in secret. Pendergast failed to declare to the Internal Revenue Service receipts of \$440,000 paid to him in cash on account of his brokerage fee by A. L. McCormick, who was president of the Missouri Insurance Agents Association and who had delegated authority from the insurers to make decisions on the litigation. Charles Street, with McCormick, was also delegated by the insurers to make decisions in relation to the litigation. Street was Vice President of the Great American Insurance Company and chairman of the Subscribers Actuarial Committee of 137 associated insurers involved in the litigation. Street and McCormick were both senior and respected insurance executives.

The links to Pendergast's downfall began with a 1929 state Supreme Court ruling against the fire insurers, in an earlier law suit brought by the state on behalf of Missouri policyholders relating to excessive premiums charged by insurers. Under the 1929 ruling, the insurance companies were forced to repay excess premiums to policyholders. Immediately following the 1929 ruling, the insurers collectively sought a substantial hike in premiums from the state. In response, the State, acting again for Missouri policyholders, commenced another law suit with those insurers. Between 1929 and 1936, more than \$9 million of excess premiums were impounded by the Missouri courts, to be distributed between the parties once the litigation was concluded. It is fair to assume that the second case was fought on facts broadly similar

to the first case and that, based on precedent, the insurers' prospects of success in the litigation were limited.

By 1935, the litigation was deadlocked. Street and McCormick asked Pendergast to intercede with Emmet O'Malley, the Missouri Insurance Superintendent and to pressurise O'Malley into settling the litigation. Pendergast was offered a fee of \$250,000 for his services. He refused. Ultimately an increased fee of \$750,000 for his services was agreed. All the negotiations were held in secret. While technically the agreement with Pendergast broke no law, the deal was unethical and morally wrong. First, the agreement was not disclosed to representatives of the policyholders, except O'Malley. Second, the size of the fee, huge even for a fixer of Pendergast's ability, was not proportional to the amount at stake. Pendergast could not have justified that he was acting as an honest broker. Clearly, his conduct demonstrated that he acted as agent for insurers, who were liable for payment of his fee.

The settlement proposed by Pendergast, Street and McCormick was heavily in favour of insurers, who would receive 80% of the impounded sums, after payment of legal fees and court costs. O'Malley, who had hitherto enjoyed a good reputation as a public servant, surprisingly agreed the terms. Pendergast moved his position from unethical to fraudulent by kicking back part of his fee to McCormick and O'Malley.⁴²⁰ Whilst there was no breach of federal law by Pendergast in accepting a fee for his role, all parties to the side agreement acted criminally by breaking federal and state conspiracy to defraud laws, through the payment of secret fees from Pendergast to McCormick and O'Malley. Pendergast and O'Malley were also guilty of offering and accepting a bribe. The facts of this case surely challenge Noonan's suggestion that bribes are a necessary constituent of government, or that the status quo

⁴²⁰ Street, a wealthy man, did not receive a secret fee but would have strengthened his position and reputation in the insurance world.

remains as benign as he seems to imply. Corruption in the Pendergast era illustrates how bribery proliferates and escalates.

Before the settlement of the litigation was announced, the press had given it scant coverage, despite the fact that the successful outcome of the litigation for policyholders would have benefited numerous Kansas City citizens. In a forceful editorial on 9th October, 1934, *The Star* had called for an end to the litigation.⁴²¹ *The Star* then failed to follow the story, either with further editorials or even an article. *The Democrat* reported on the status of the case from time to time, detailing interim court decisions, which generally favoured the policyholders.⁴²² Possibly the local press considered a victory against insurers as a foregone conclusion or found the litigation too complicated or boring to be worthy of reportage. Either way, the local press had taken its collective eye off the ball. Whilst there is no suggestion that the local press colluded with Pendergast and the machine to ignore the issue, equally, there is no suggestion that it did not. The latter position, given the scale of the case, is more likely.

Although the insurance litigation settlement received press coverage in *The Star* and *The Democrat*, none of the newspapers investigated the agreed deal with any thoroughness to uncover why the insurers were so successful in the settlement, when they had failed in 1929. Bearing in mind that legal precedent was against insurers, the local press could and should have been more vigilant as they were on notice that something odd might have occurred. It is surprising that the local press, in particular

⁴²¹ "The Insurance Case Should End." *The Kansas City Star*. 9th October, 1934. p. 4.

⁴²² "Insurance Refunds Must Now Be Made". *The Missouri Democrat*. 12th October, 1934. p.1. "Insurance Companies Must Refund." 10th May, 1935. p.2. "Lawyers Resent Fraud Charges". 8th November, 19

The Star, did not take up the baton for the state's policyholders, if only to explore possibilities of a recovery of funds paid away in a potentially fraudulent settlement.⁴²³

The settlement itself was reached in late November, 1935, and approved by the courts in February, 1936. However, it was not until April, 1939, that the truth behind the settlement and the parts played by Pendergast and O'Malley started to unravel, when *The Star* reported that insurance funds passed to Street had not been reported to the Internal Revenue Service.⁴²⁴ The funds in question, \$100,500, were contributions from insurers to defray fees for the litigation. The identical sum had been paid to Pendergast. Street had not benefited personally. On 5th April, 1939, *The Star* moved nearer to the denouement, reporting that two secret indictments had been returned, impliedly against Pendergast and O'Malley, and that the federal grand jury was questioning people who had had transactions with Pendergast.⁴²⁵ Street escaped indictment and punishment only because he had died in the interim. McCormick had already confessed his part to Treasury agents.

The end of the affair came quickly. In a succession of front page stories on the 7th, 8th and 9th April, 1939, *The Star* confirmed the indictment of Pendergast and O'Malley for federal income tax evasion. The reports set out the charges against them in detail.⁴²⁶ Two days later, *The Star* continued its exposure, confirming that Internal Revenue Service suspicion had been aroused when it was discovered that Street had drawn huge sums in cash, which he passed on to Pendergast.⁴²⁷ After the Teapot

⁴²³ Western Historical Manuscripts. Governor Lloyd Stark Papers, Folder 1112.

⁴²⁴ "Jury Intently On." *The Kansas City Star*. 4th April, 1939. p. 1.

⁴²⁵ "Nearing a Climax". *The Kansas City Star*. 5th April, 1939. p.1.

⁴²⁶ "T. J. Pendergast is Indicted". "Milligan Summarizes U.S. Charges". *The Kansas City Star*. 7th April, 1939. pp. 1 and 18. "O'Malley Goes In." *The Kansas City Star*. 8th April, 1939. p.1. "Jury List is Wide". *The Kansas City Star*. 9th April, 1939. p.1.

⁴²⁷ "Took All in Cash". *The Kansas City Star*. 11th April, 1939. p.1. What the press did not discover until later was that Pendergast required cash to settle his gambling debts with bookmakers.

Dome scandal of 1923 and as a precursor to Watergate, the adage of ‘follow the money’ had produced good results for the IRS.

Over the following month, several stories and editorials appeared in *The Star*, detailing Pendergast’s guilty plea and his subsequent incarceration in Leavenworth prison. *The Star* did not gloat over Pendergast’s fall from grace, although an editorial queried the leniency of the 18 month sentence. Pendergast had been unwell for a number of years, a mitigation which, combined with a guilty plea, helped persuade the federal judge that a comparatively short sentence was appropriate.

No other local newspaper covered Pendergast’s disgrace in any detail. However, *The New York Times* reported Pendergast’s political demise in eight reports between 8th April and 24th May, 1939. In its balanced 8th April, 1939 story, Pendergast was characterised as being described by his enemies as “the ruthless leader of a corrupt machine” but the story also set out the well-known Pendergast philosophy of local government, namely service for votes with, implicitly, ends justifying means.⁴²⁸ In a lengthy piece the next day, *The Times* suggested that the indictment was the culmination of a long campaign by ‘out-state’ Missourians to unseat Pendergast.⁴²⁹ Supporting evidence of a crumbling machine came with *The Times* story on 14th April that city manager McElroy had resigned.⁴³⁰ In its final story on 24th May, 1939, *The Times* noted *The Star* editorial referred to above and that *The Star* had said the sentence imposed by Judge Ortis on Pendergast was “a lost opportunity to express disapproval for a gross betrayal.”⁴³¹ Clearly, *The Times* regarded the story as worthy of national recognition.

⁴²⁸ U.S. Jury Indicts ‘Boss’ Pendergast as a Tax Evader. *The New York Times*. 8th April, 1939. p.1.

⁴²⁹ “A New Blow at Pendergast”. *The New York Times*. 9th April, 1939. p.6. ‘Out-state’ Missourians were those voters living outside Kansas City and Jackson County.

⁴³⁰ “H. F. McElroy Quits Kansas City Job. *The New York Times*. 14th April, 1939. p.14.

⁴³¹ “Pendergast Term Called Too Light.” *The New York Times*. 24th May, 1939. p.12.

In contrast to the detailed reporting by the local *Star* and the national *Times*, reporting of Pendergast's downfall in *The Democrat* was invisible. Nothing appeared in *The Democrat* relating either to Pendergast's fraudulent behaviour in the insurance scandal or the federal tax evasion charges, save for one story and one editorial, both on 26th May, 1939. The former reported the facts of the guilty plea to charges of "income tax evasion on payments for influence in settling insurance litigation".⁴³² The latter expressed bewilderment at the turn of events. Income tax evasion was, it said, "sufficiently heinous to stir any good citizen."⁴³³ However, in an extraordinary defence of Pendergast, the editor criticised *The Star* and others as "avid for blood" and enquired as to "how many of these critics have never evaded or tried to evade income tax?" The editor failed to balance Pendergast's \$440,000 income tax evasion with the average weekly wage for Missourians, which was as low as \$14 per week.

The lack of incisive reporting by local newspapers on the insurance litigation settlement has been commented upon in pages 201 and 202. Not surprisingly, *The Democrat* had often expressed faith in O'Malley's integrity.⁴³⁴ It praised the insurance settlement as "sound and fair."⁴³⁵ In February, 1936, it argued that there had been widespread misunderstanding about the merits of the settlement but that it was good for policyholders as premium rates would fall.⁴³⁶ While the local newspapers' blind acceptance of the insurance litigation settlement seems their failure, Pendergast's part in the deal remained a secret. It is arguable that even the most inquisitive of investigative journalists might not have uncovered the truth in 1936 or subsequently. The settlement was so far removed from the ruling of the first insurance case as to require questions being asked of all principals involved in the 1935

⁴³² "Plea of Guilty for Thomas J. Pendergast." *The Missouri Democrat*. 26th May, 1939. p.1.

⁴³³ "Who Will Cast the First Stone?" *The Missouri Democrat*. 26th May, 1939. p.5.

⁴³⁴ As an example, "Amends to Mr O'Malley." *The Missouri Democrat*. 1st March, 1935. p.5.

⁴³⁵ "The Insurance Settlement." *The Missouri Democrat*. 29th November, 1935. p.4.

⁴³⁶ "Insurance Case Over." *The Missouri Democrat*. 7th February, 1936. p.2.

settlement, yet only O'Malley's actions were questioned in the State House of Representatives.

In February, 1936, *The Democrat* reported that O'Malley, incensed with charges of a whitewash by enemies of the State Insurance Department, had urged the Insurance Committee of the Missouri House of Representatives to investigate the settlement fully.⁴³⁷ *The Democrat* reported that ten days earlier, Representative Francis Smith of St. Joseph offered a resolution to investigate the litigation and subsequent settlement to the House. The resolution was defeated 76 to 61 but the House had ordered an enquiry by the Insurance Committee, which move was the subject of the whitewash allegation. Probably, Pendergast himself had suggested the House investigation to O'Malley in the knowledge that O'Malley would receive considerable political protection from Democrats within the Committee. Indeed, O'Malley appeared as a witness before the Committee which, on 11th June 1937, approved the settlement. Clearly, the Committee did not have the benefit of knowing all the facts surrounding the settlement. Throughout, *The Democrat* was supportive of O'Malley, a man who had been corrupted by Pendergast. Bearing in mind that *The Democrat* always gave Pendergast blind support and may indeed have been owned by Pendergast, this partisan reporting was hardly surprising, if culpable newspaper tactics.

Although on 9th October, 1934, *The Star* had called for an end to the litigation, nothing further was written in *The Star* about the insurance case until 1st February, 1936, by which time the insurance settlement had been accepted.⁴³⁸ The newspaper would have been aware of both the outcome of the 1929 case in favour of policyholders and the terms of the 1935 settlement in favour of insurers, and that both

⁴³⁷ "Demands an Inquiry." *The Missouri Democrat*. 26th February, 1937. p.1.

⁴³⁸ "Risk Case Ended." *The Kansas City Star*. 1st February, 1936. p.1.

cases had similar facts. The newspaper was on notice to question the obvious discrepancy in the 1935 settlement. While there is no evidence for suggesting corruption on the part of *The Star*, it would have been interesting, and even morally justifiable, had an accusation of negligence been made against it and its editors by other newspapers such as *The New York Times*, which often took an interest in the affairs of Kansas City. Whilst *The Examiner*, too, had ignored the 1935 outcome of the insurance litigation, like *The Star* it was perceptive in assessing the politics. Arguably, political rift was the newspaper's primary concern. On 26th November, 1936, *The Examiner* reported that Stark was "put on the spot" over the reappointment of O'Malley as Insurance Commissioner, something which Pendergast promoted presumably in order to keep the truth behind the insurance settlement under wraps.⁴³⁹

On 28th April, 1938, *The Star* recorded that O'Malley was to be named director of the Kansas City Water Department and suggested that the ouster of O'Malley from his post as Insurance Commissioner would be regarded as a major break between Pendergast and Governor Stark.⁴⁴⁰ Pendergast's power, especially patronage power, would not only have been damaged by Stark's obvious animosity and ability to move O'Malley but the damage would also have been observed by other power centres in both Kansas City and the state. However, beyond *The Star's* observance, no other reportage on the significance of these events was made.

There is secondary evidence that, according to the Treasury Department's "Kansas City Investigation", Stark's predecessor, Governor Park, vacillated on the insurance 1935 settlement. The Treasury alleges that when the settlement terms were delivered for his approval, Park conferred with State Attorney General McKittrick who advised against the compromise. Park agreed with McKittrick not to approve it.

⁴³⁹ "Governor Stark on The Spot." *The Independence Examiner*. 26th November, 1936. p.6.

⁴⁴⁰ "City Job for O'Malley". *The Kansas City Star*. 28th April, 1938. p.1.

In a staggering change of heart just two hours later, after a telephone conversation with Pendergast, Park approved the compromise.⁴⁴¹ No corroborative evidence in support of this version of events has been found. The Treasury publication was written by Rudolph Hartmann, the principal investigator, who had an interest in depicting both Park and Pendergast in a poor light. Equally, Hartmann interrogated Pendergast and may have been told the truth first hand. The publication reached a self-laudatory conclusion that “men considered immune from prosecution, had seen the iron gates of Leavenworth.”⁴⁴² The ‘men’ referred to were Pendergast and O’Malley. If the publication’s allegation is accurate, it was evidence that Missouri state government under Park was corrupt at its head.

Park’s views of the Kansas City Democratic organization are clear. In a letter dated 25th November, 1936, to Vina Montgomery, Park wrote: “The so-called Pendergast machine is an organization of fighting Democrats, built upon service and achievement...Kansas City under Democratic administration has grown and developed into a wonderful and beautiful city.”⁴⁴³ Park knew he owed his election as governor to Pendergast which, on the evidence of this letter and others like it, he repaid with blind loyalty. There is nothing in the Park archives held at Western Historical Manuscripts to verify Hartmann’s account but one would have expected Park to have destroyed any written evidence concerning the insurance settlement affair.

Further evidence of probable ‘sanitization’ of archival records is in the respective folders of Governor Stark and President Roosevelt. The files contain much correspondence of a negligible social nature, for example relating to a gift of Starking apples from Stark’s orchards to the President, and details of enjoyable visits.

⁴⁴¹ “The Kansas City Investigation”, op cit.

⁴⁴² “The Kansas City Investigation”, op cit, p. 145.

⁴⁴³ Guy Park Collection, op cit., Folder 1678.

Friendship is clear. However, there is virtually nothing of substance in relation to Pendergast and his downfall. In a memo dated 17th March, 1939, Roosevelt was told of a telephone message from Stark warning the White House “against the importunities of a man named Otto Higgins, Chief of Police of Kansas City, who is a grafter.”⁴⁴⁴ Higgins was attempting to plead Pendergast’s case for clemency. Roosevelt refused to see Higgins. It is also peculiar that there is no correspondence between Stark and Roosevelt or memoranda of meetings that are Pendergast-related, when so much else is recorded between them. The exchange of cables in March, 1939, when Stark rushed to the White House to confer with Roosevelt shortly before news of Pendergast’s arraignment was disclosed, was not accompanied by a memorandum of that meeting. One can only speculate what transpired in the meeting but one possible explanation for both politicians failing to record the outcome was that a confidential political solution was designed, namely that it was time for the Democratic Party to ditch Boss Pendergast.

As stated, the local newspapers missed the clear objective of Governor Stark, namely to nail Pendergast. Such silence speaks significantly with hindsight but, at the time, local newspapers as a whole were failing in their duty to inform their readership. Whether this was caused through lack of access to relevant persons and documents or through fear of reprisals it is impossible to say. In January, 1939, *The Examiner* reported that Pemiscott County policyholders had attacked the settlement and filed suit in the federal court to recover funds.⁴⁴⁵ Apart from this story, the local newspapers failed to comment on an important omission of the Pendergast insurance scandal, namely that no effort was being made to set aside the 1935 settlement and recover funds from the insurance companies for the benefit of Missouri taxpayers. It

⁴⁴⁴ President’s Personal File. Container 4462. Stark, Lloyd C. *Franklin D. Roosevelt Library*.

⁴⁴⁵ “Seek to Recover Insurance Funds.” *The Independence Examiner*. 20th January, 1939. p.1.

is extraordinary to find the local press ignoring this issue, one where individual taxpayers would continue to bear a monetary loss and where monolithic insurance giants would reap the benefit. Once again, corruption equated to private greed and profits at the expense of public good, without restitution.

Previous insurance litigation between the same parties based on similar facts had resulted in a ruling in favour of the State of Missouri on behalf of policyholders. It is reasonable to suppose that had the second case litigated, precedent might well have resulted in another ruling in the policyholders' favour. Attorney General McKittrick did not consider the compromise to be legal, although he was no expert on civil litigation of the kind being pursued.⁴⁴⁶ A 20% distribution for the policyholders seemed on its face to be wholly inadequate. If so, armed with a revised ruling that the compromise should be set aside for fraud, the state would have been able to trace and recover funds for policyholders from insurers. Possibly, the facts of the two cases were not identical and the settlement was not entirely unreasonable. Also, the politics may have been troublesome. For example, Stark, himself, received a letter dated June 17, 1937, from The Hon. George D. Markham:

“I was told personally by Judge Stone of the Federal Court that O’Malley did the right thing in making the settlement and that a settlement out of court was the best possible way to end the litigation. The O’Malley settlement is criticized by some people as any settlement would be; but when lawsuits are settled, nobody gets all they want. And the State’s attorneys testified...they had lost their cases before O’Malley moved for a settlement.”⁴⁴⁷

However, the balance of probability is that policyholders lost out because of dragging litigation and Pendergast’s greed, in another example of how the boss failed the voters his machine was meant to represent.

⁴⁴⁶ “The Kansas City Investigation”, op cit. p. 20.

⁴⁴⁷ Lloyd Stark Collection, op cit, Folder 1112.

By 1939, Pendergast had held the reins of power in Kansas City for 28 years and had been the undisputed but corrupt political boss for 14 years. His political end was, therefore, bound to be dramatic. For many years Pendergast ran Kansas City politics almost unchallenged, enlarging his machine's profits and his personal wealth through increasingly sweeping corrupt practices. Furthermore, looking at the actions in the Pendergast versus Stark fights over patronage and bribery, the saying that "the fish stinks from the head" applies to Pendergast. At the head of a complex alliance of politicians and businessmen, Pendergast influenced city officials, the rank and file of the machine and interacted with organized crime, all of whom paid him tribute as the corrupt boss of Kansas City and all of whom were probably infected as a result.

It might be thought convenient if the cause of the disappearance of second phase political party machines resulted from a combination of Roosevelt's New Deal programmes and popular displeasure with the likes of Pendergast. However, Pendergast's machine, under the leadership of boss Tom's nephew, survived into the late 1940s, as did the Boston machine of James Curley, which then continued under the influence of the Kennedy family. The Daley machine in Chicago remained in charge of city government until after 1968, when its handling of the Democratic National Convention brought it into infamy. The Albany, New York State machine of the O'Connell Brothers lasted until the 1980s. In the south, Duval County, South Texas was ruled by the machine of George and Archie Parr until the mid 1970s. In Jersey City, Hague remained in power until 1949. Like Pendergast, he sought to pass the reins of power to a relation, in this case his son. Pendergast's nephew continued in charge but Hague's son lasted no time at all, to be ousted by John Kenny, who was ousted in the mid 1950s when the machine failed.

Undoubtedly, the cult of personality was an important factor in the longevity of second phase machines, hence the removal of a strong personality like Hague might cause a vacuum, to be filled not by an orderly succession but by men seeking power, who might not attract the loyalty of other machine personnel. In such circumstances, leadership was short lived, as was found by Bill Thompson, Tony Cermak and Pat Nash in 1930s Chicago, all of whose terms in power lasted less than three years.

There are several reasons why second phase machines disappeared from the American political landscape but the introduction of limited social security and minimal elements of welfare under the New Deal was not a factor. New Deal legislation of a welfare nature was aimed at the head of the family and, generally, was short term. It was not for the federal government of the 1930s to provide a constant safety net. Furthermore, under the Wagner Act, social security entitlement was limited to companies whose employees numbered at least one hundred, excluding more than half of all employees throughout the States. Women fared badly under New Deal legislation. In percentage terms, less than ten per cent received help. It was for the states and the municipalities to look after their own, supplemented by charity contributions. By the mid 1930s, few states and cities had available funds to help the destitute and most charities had run out of funds.

When an economic depression occurs, banks stop lending, industry ceases employment and people are left to their own devices, unless there are local welfare provisions. In the cities of the 1930s, effective machines like those of Pendergast provided welfare in terms of jobs, medical care, food and shelter. In Chapter 5, page 135, employment statistics are provided for Kansas City during the New Deal era. Probably, an investigation of other cities where a second phase machine was in charge

would produce similar results. As such, it could be asserted that machines were an interface for welfare between the worst excesses of an economic depression and failed state and federal governments and charities.

The factors which caused to demise of second phase machines were a combination of affluent economic times, as experienced in the 1950s, and a liberal-thinking federal administration. By the 1950s, mass immigration was no longer a factor in American economics and many employees were second generation Americans who would not accept the jobs taken by their fathers. Also, from the 1950s until the late 1960s, America experienced a time of huge prosperity and plenty as a consumer society emerged from the shackles of the Second World War. The need for machine help for the masses lessened. In the 1960s, the federal government finally took on the mantle of a safety net for its citizens as statutes relating to health, pensions and welfare were enacted. All these factors combined to remove the need for government by 1930s style machines. Little wonder that mass politics gradually ceased to feature on the municipal political landscape.

Chapter 10.

“Morality is simply the attitude we adopt towards people we dislike.” Oscar Wilde.

Political Party Machines: Pragmatism and Ethics

This thesis has analysed both the academic interpretation and the reality of the operation of second phase political party machines. The two topics do not make easy bedfellows. Academic study seeks structure, patterns and rationale. Machine politics of the 1920s and 30s lent itself to, pragmatism, corruption of systems and people, and promotion of individuals grasping the main chance. Attempts to reconcile the theoretical and practical disclose several tensions between morality and ethics on the one hand and pragmatism and utility on the other.

This chapter considers first the 1920s and 30s mass politics, namely the strategy of mobilising large numbers of people to vote the party line. It suggests reasons why the Pendergast machine engaged in multi-faceted election corruption when it probably would have won all municipal, county and, possibly, state elections it contested during this period. Second, it assesses the monopoly business paradigm of machines by attempting to apply ethical and legal business principles and justifications to the practices and actions of machines. It tests the extent to which second phase machines might have conducted themselves differently, especially in regard to business dealings with organized crime. It argues that had second phase machines kept themselves apart from organized crime and conducted their business with less greed and more probity, the longevity of such machines would have been better ensured.⁴⁴⁸

Whilst it is not argued that America had the monopoly in engaging in corrupt election practices, it engaged in them almost from the creation of the Union. The 1800

⁴⁴⁸ Tensions between business practice and ethics in the newspaper industry have been considered in Chapter 7.

presidential election witnessed foul play. John Ferling comments: "Utilization of general tickets enabled the majority party to rig the contest to its benefit."⁴⁴⁹ Chapter 8 of this thesis established that in municipal elections, from the days of Tweed and other first phase machine bosses, it was standard business for machines to corrupt and steal elections. There is a wealth of evidence to establish that machines throughout the United States, such as those of Iz Durham in the West, Albert Ames in the mid-West and Alonzo Johnson in the East, corrupted the franchise. As for second phase machines, this thesis demonstrates that some of the Hague machine's election practices were questionable, at best. As for the Pendergast machine, there is good evidence that election fraud was committed on a massive scale between 1925 and 1938. There is irrefutable evidence, supported by 259 convictions of Pendergast machine personnel in the Missouri federal court, that the 1936 elections were corrupt and stolen.

A machine boss might try to justify stealing elections as an existing course of dealing and that election fraud had been part of the American political landscape since the start of the Union. However, on any view, it is ethically as well as legally wrong to fabricate votes to steal elections, as Progressive reformers realised and as the Missouri state legislature had recognised by the 1920s through comprehensive election laws. Had the Kansas City municipal and county elections of the 1920s and 30s been conducted fairly and within the law, it is difficult to see how the results would have been substantially different in terms of seats on the City Council and the election of judges and other officials in the light of lawful registrations of Democratic voters. The Democratic machine had always commanded a majority in Kansas City and Jackson County since the early twentieth century, under the uneasy stewardship

⁴⁴⁹ John Ferling, *Adams v Jefferson: The Tumultuous Election of 1800*. (Oxford. 2004. Oxford University Press.) p.156.

of Jim Pendergast, Tom's elder brother, and Joe Shannon. After the 50/50 agreement between the goat and rabbit factions of the party was concluded, election victories for the Democrats in Kansas City were never in doubt⁴⁵⁰. It was the actions of over-zealous ward heelers and precinct captains, seeking to be rewarded by their superiors, who overcooked the massive false and fraudulent voting registrations and employed other unlawful or unethical tactics to ensure victory. Such methods, no doubt prompted by machine leaders, were almost certainly unnecessary. Furthermore, there were numerous opportunities for citizens to complain, either to the press or to state legislators or by simply standing up to the machine. The former may have been futile and, no doubt, the latter would have required a great deal of courage but the Fusion Movement took such action in 1934; their protest failed partly because it was not sustained in subsequent elections.

Had Pendergast's Democrats conducted elections within the law, the risk was Republicans might have acted fraudulently. Nevertheless, the Democrat machine would have been in a position not only to claim the moral high ground but also challenge all its critics to prove it had not acted properly in securing victories. It would have avoided the federal prosecutions in relation to the 1936 city election and Pendergast himself may even have deflected the US Treasury from its 1939 prosecution, although the latter is unlikely.

Therefore, one needs to ask why Pendergast approved illegal methods to win elections when such methods were unnecessary. Adopting elder brother Jim's maxim that 'politics is war', first, he would have decided that the outcome of the elections was far too important to be left to chance. Machine monopoly business had to be protected at all costs. Second, he would have known that many municipal elections

⁴⁵⁰ See Chapter 4, page 118, for details.

covering the length and breadth of America were conducted improperly and election laws were honoured more in the breach than the observance. Therefore, he was directing municipal elections in the way that virtually every other machine boss conducted the election process and had done for many years. Third, he must have felt his machine was untouchable in the local and state courts and that no evidence would be produced against them in the federal courts. Fourth, had he not adopted the normal election measures, other machine leaders might have interpreted the omission as a sign of weakness and that his position could be challenged. In the circumstances, it is very unlikely that the thought of conducting elections within the law even crossed Pendergast's mind. However, had he allied a proper election process with ethical business practices, it is arguable that his machine would have had a better chance of survival after his personal downfall.

Taking the evidence adduced in this thesis as a whole, it is clear that machines and their bosses were not influenced by ethical business issues in the conduct of their business monopoly. If a business opportunity presented itself where a deal could be made by taking the ethical route, machine leaders faced no dilemma, but if there was a conflict between ethics and business practice, machines would invariably opt for the pragmatic solution. If that solution was unethical, so be it. Aggrandisement of profits was paramount in its deal-making. If this judgment seems harsh, one must test it by the standards of the 1920s and 1930s. Federal government regulation was miniscule and enforcement of state and municipal rules and bye-laws was not pursued rigorously against the executive and its friends. If a machine had influence in the state capitol, the risk of state pursuit was lessened. Ultimately, the federal government was the regulator of last resort but pursuit of the likes of Al Capone and Pendergast was rare. The history of anti-trust enforcement in the 1930s, not to mention the lack of

financial regulation in Wall Street before 1933, demonstrates that creation and enforcement of federal law was as much political as legal.⁴⁵¹

In the 1920s and 30s, there was no body of ‘business ethics’. The term did not come into common use until the 1970s.⁴⁵² It is not suggested that no ethical precepts existed which could be applied to business. Virtuous behaviour concerning ownership and property has been a concern from the time of Aristotle. In *Politics*, moral judgments were made about greed, the unnatural use of one’s capacities in pursuit of wealth and that justice was giving each his due, treating equals equally and trading equals for equals.⁴⁵³ Later, Christian religious philosophy contributed a host of moral obligations that the rich owed to the poor. These obligations included prohibitions on profiting unfairly from the ‘have nots’, as well as the onus to ameliorate their lot. For example, St. Thomas Aquinas condemned the sales of articles for more than their true value. Pendergast himself had a Catholic upbringing, which would probably have included his being taught the virtues of self-sacrifice, generosity, humility and regard for one’s fellow man as for oneself. The culture of machine politics could negate many of these values, yet in his concern for the welfare of the working man and his family, a milieu the self-made Pendergast knew well, he could indeed have been acting upon genuine humanitarian impulses.

Against a background of feeble federal business legislation, lack of political will at local levels and amorphous codes of behaviour in relation to business, a pragmatic business philosophy was systematically practised by machine bosses. Basically, they treated the conduct of business as either a confrontation or a

⁴⁵¹ In the 1936 presidential election campaign, Roosevelt was fond of saying, “big business hates me [for anti-trust enforcement] and I welcome their hatred.”

⁴⁵² Santa Clara University Ethics Home Page. www.scu.edu/ethics (Accessed 13th August, 2008.)

⁴⁵³ Roger Crisp, ed. *Aristotle, Nicomachean Ethics*. (Cambridge. 2000. Cambridge University Press.) p.88.

compromise. To establish the terms of this proposition, consider a standard legal blueprint. Assume a shop owner offers goods for sale at a stated price. The offer constitutes an invitation to the public to treat, namely to buy the goods at that price. When a member of the public says he or she will buy goods from the shop owner, he or she becomes a prospective customer by making an offer. When the shop owner agrees to sell, he accepts the offer and a binding contract is made. If the customer offers less than the stated asking price for the goods, the shop owner can refuse, which is a confrontation, or agree a different price, which is compromise. The parties are unlikely to engage in any meaningful discussion about fairness or equality.

By extension, machine business dealings would also consist of a confrontation or compromise. The essential difference between the machine and shopkeeper scenarios was that rarely would there have been a position of equality in dealings with the machine. The essence of a machine monopoly was in its exercise and retention of control, while placing people it dealt with at a disadvantage. This was the art of the machine politician's confrontational deal, one which he weighted in his favour. Harry Truman's concern at the level of graft, to which he was forced to turn a blind eye, is a case in point. The influence of Pendergast on city contracts in which Truman was involved was clear evidence of inequality in favour of the machine.⁴⁵⁴

A review of the Pendergast machine's financial records would have been revealing, if for no other reason than to see what level of turnover was declared, year on year, for machine business and how that figure compared with Pendergast's own businesses. Missouri corporate records of Pendergast corporations are retained in Jefferson City. A search of the records of two of the larger corporations and the Kansas City machine disclosed the barest details and nothing of financial substance.

⁴⁵⁴ See Chapter 5, page 143.

The accounts of the Kansas City machine of the 1920s and 1930s have not been traced but had they been available, they would probably not have disclosed much worthwhile information. On the balance sheet, there may have been a fixed asset, namely the headquarters of the Democratic Club at 1908 Main Street, Kansas City, although this property was probably rented from a Pendergast company. Machine liabilities might have included bank loans needed to fund machine business from time to time. None of the Pendergast historians have revealed further sources of information shedding light on financial matters.

The machine's profit and loss account would not have disclosed much information. In an election year, the income would have comprised the 'voluntary' donations from city employees. In all years, there would have been political donations, probably from unspecified contributors. Such donations would comprise kickbacks from businessmen for delivery of city licences and douceurs from contractors securing city contracts. Expenditure would have covered rent (if any) of the property, the salaries of machine members not on the city payroll, such as ward heelers brought in for elections, as well as the cost of providing housing and food for the poor. In 1937 and 1938, it would have included the legal costs and, where necessary, fines paid for the 270 machine members prosecuted for election fraud.

Looked at from the outside, the financing of a monopoly machine business would appear legitimate and simplicity itself. However, the income would almost certainly have been understated to match expenditure. Excess profits would have been 'skimmed' through payments to senior machine personnel, either in cash or allocated to a company in which that member had an interest. Machine accountants and bookkeepers like Edward Schneider, who was caught up in the Pendergast federal tax evasion case and who committed suicide when facing a perjury indictment, were

skilled in hiding profits. In all probability, had Pendergast been prosecuted in current times, he would have faced charges of money laundering, as well as income tax evasion. Pendergast saw no reason why he should not draw profits from the machine. No doubt, he also funded the machine from the profits of his own companies when needed, unless he chose to use bank finance, in the knowledge that he would recoup the loan, together with a healthy sum in interest, once business and city employee donations flowed again. Here the pragmatic business man would not have given a second thought about robbing Peter to pay Paul. Robbery was permissible in the machine world. It was just business. As for business corruption, the machine response, too, was pragmatic. The businessman got his permits from the city, albeit at a cost, but he was able to do business provided he applied for the permit through the machine monopoly. Suppliers of goods and services did profitable business with the city and the machine; there was no point in the machine squeezing all the profits out of deals because there would be no repeat business.

Assuming that both the legitimate and questionable income raised by a machine was legally and morally acceptable in the 1920s and 30s, the question arises as to whether machine revenue would have been sufficient to cover the expenses of the machine, its welfare initiatives and the salaries of all machine personnel, including the leaders. One must speculate that, if this is so, then revenue raised from unlawful activities associated with organized crime would have been used solely to line the pockets of the machine leaders. It is worth speculating that had the latter not been so greedy, perhaps they would have stayed longer in office and the machine would have survived their passing. Therefore, greed may well have been the driving motive why a machine would entertain a compromise by doing business with organized crime. However, this is too simplistic an explanation.

If it was good business for a political machine to cast a blind eye to a criminal organization operating gaming and other illegal activities in a defined area of a city, in exchange for both a share of the profits and a comparatively crime-free life for most of the citizens in the remainder of that city, one might believe a machine boss would probably have accepted that it was a deal worth considering and, often, making. The ethics and morality of the decision were unlikely to feature in a boss's deliberations, whereas it would have been almost unthinkable for a Progressive, commission-led administration to have taken the same view. However, the main reason for a machine treating with organized crime was that the latter was stronger and probably held more control levers than the machine, in terms of threats and intimidation. Machines did not commit murder but they sometimes allied themselves with murderers, probably out of concern that the business monopoly and its police could not control a situation.⁴⁵⁵ A refusal to do business with organized crime might have resulted in an outbreak of violence and criminal activity which the city authorities would have found difficult to control. Here was another case of inequality, where the machine could be weaker than its partner. The ethics of the deal would have been irrelevant; what counted was whether the deal was in the interests of the machine.

It is beyond doubt that many machines like those run by Pendergast, following the example of first phase machine bosses like 'Nuckie' Johnson, had established links with organized crime. In having such an arrangement, machine leaders needed to decide the extent to which it was in the city's interest to make such a deal with the criminal fraternity. On the face of it, the answer was straightforward, that there was no good reason for the city to reach such an agreement. However, political decisions are rarely clear cut and government is problematical, especially when business elements

⁴⁵⁵ On the 1934 municipal election-day, there were four murders in which organized crime and the machine were implicated.

are added to the equation. A boss would have made a calculation of the advantages and disadvantages of such an arrangement, possibly as described below. There were a number of potential advantages to a machine decision to agree a link with organized crime. The criminals themselves would ‘police’ the appointed area of the city and limit their activities to that area, ensuring that no crimes of an organized nature would be committed outside the specified area. Indeed, there is evidence that this is what happened in Kansas City. The city’s police department would not only be relieved of having to provide additional forces to remove the criminal element but the police department would also know that organized crime would not operate elsewhere in the city, thus keeping police budgets within bounds. The machine would, no doubt, benefit financially, possibly by renting premises to organized crime. In addition, cash payments would be made to the boss as an acknowledgment of his tacit agreement to the illegal activity. Finally, recognizing that people had weaknesses and wanted to engage in gambling and other vices, and that people would always find a way to indulge that weakness, the boss would ask himself what real harm was there in adopting a permissive attitude? If questioned about saloons and gambling, Pendergast’s customary reply was: “Well, the rich men have their clubs, where they can gamble and have a good time. Would you deny the poor man an equal right?”⁴⁵⁶ Underlying this remark was Pendergast’s ability to create links with both the police and organized crime where he benefited from both.

There were several obvious disadvantages to a machine agreeing a deal with organized crime. Municipal government would be tainted by association with organized crime and, perhaps, find its leaders themselves open to prosecution for sharing profits from an illegal activity, although the record of city and state

⁴⁵⁶ McCullough, op cit, p.199.

government in the 1920s and 1930s shows a lack of political will to take any such retributive action in these circumstances. Instead, the perpetrators' Achilles heel seems to have been their failure to declare profits for federal income tax purposes. The machine was implicitly condoning corrupt and criminal activities and, worse, exposing its police department to charges of corruption through turning a blind eye to criminal activity, thereby reducing the police department's effectiveness in dealing with law and order. Businessmen would find themselves being forced to pay 'protection' to the criminal fraternity without hope of lawful protection from the authorities. A permissive society would develop in the city, encouraging undesirable people to move to the city, exposing its decent citizens to risks that would otherwise not exist and incurring the problem of containment. Compromise agreements with organized crime presupposed a level of machine control which it would exert on its crime partners, something much easier to establish than maintain.

It is not suggested that the municipal court system was ineffective as a whole. Willrich has examined the activities of the courts in Progressive era Chicago and proved them to have been active, but not in terms of enforcement against corrupt political leaders and organized crime. As he writes: "When Americans of the Progressive Era talked about law and order, they talked about something far more capacious than gangster rackets and crime control."⁴⁵⁷ The normal, day-to-day enforcement of criminal justice dealt mainly with numerous breaches of public order, petty crime rather than enforcement of serious crimes.

Had the machine wanted to take the ethical decision not to engage with organized crime, it would have to factor in certain elements and costs in reaching this decision. It might not be able to rely on its police department to remove the criminal

⁴⁵⁷ Willrich, op cit, p. xxxiv.

element and clamp down on crime. The department might be state governed and outside its direct control, which was the case in Kansas City until 1925 when the state acceded to 'home rule'. Also the police department might have insufficient personnel to control the increase in crime. Furthermore, it could not necessarily rely for help from federal authorities. In the 1930s, The Federal Bureau of Investigation, by its own admission, had limited success investigating and prosecuting criminals of "the gangster era."⁴⁵⁸ It's Director, Herbert Hoover, refused to accept even existence of organized crime in America until the 1940s. If the federal government's criminal investigation arm would not use its resources to stamp on organized crime, and if state and municipal criminal law enforcement was weak in this area, there was surely lesser incentive for a machine to act ethically.

Assuming the machine took the ethical route and refused the deal, at the very least more police personnel would be needed to ensure removal of the criminal element, increasing the cost of policing, probably substantially. Organized crime would not give up its inroads into a city without a fight and, likely, machine business, as well as members of the public, would suffer. Finally, the credit the machine would receive from the voting public and local press for the clean up could not be measured financially and if crime re-occurred, machine politicians would stand accused of hypocrisy. It is interesting to note Frank Hague's hollow boast that Jersey City was free from corruption and organized crime, as evidenced by the fact that there were no brothels or unlicensed saloons in town. He implied he had taken the ethical decision relating to links with organized crime. However, such places of iniquity could be found within a hundred yards from Jersey City limits. Hague fooled nobody. A crime-free or crime reduced city would have been regarded by most voters as valuable and

⁴⁵⁸ The FBI History Page. "Lawless Years, 1921-1944". www.fbi/libref/history. (Accessed 4th August, 2008).

the machine who ensured this environment would have retained popularity and, quite likely, longevity in power, regardless of its figurehead.

As with organized crime, the essence of a monopoly machine business was to gain and retain power with a view to profit for its players, as well as huge earnings for its major stakeholders. The manner in which the aims were achieved was often, almost invariably, corrupt. For machine bosses, ends justified means. Questions of ethics were irrelevant. It might be said that greed overrode good but for those who criticised machines as a public ill, the machines could point to the help provided to large sections of the public in the form of welfare. They could properly question how the finger of blame could be pointed at them when unemployment was low and the city boss fulfilled his promises, whilst the states and the federal government before 1933 often failed to act. Nevertheless, if a second phase machine boss wanted longevity for his machine and a legacy for himself, the level of greed displayed became an issue. Over time, the apparent benefits of graft and corruption became not only a temptation for competitors and rivals but a rallying focus for federal intervention.

Conclusion.

The significance of this thesis is its proof that successful second phase political party machines were not only political opportunists, concerned far more with winning elections than establishing policy, but that they were also monopoly businesses. The business monopoly was achieved when a machine controlled all levers of political power in a municipality. Once in this position, the local business community was beholden to the machine for requisite city business licences and permits. Machine leaders dealt with local big business leaders behind closed doors, each benefiting and enriching the other at the taxpayers' expense as city contracts were disposed of. These relationships offer an explanation as to why the local press, who would have been able to expose corrupt practices of a machine, did not do so. There was too much for the proprietors to lose.

For a century following the Civil War, political party machines were probably the single most important political influence on the majority of American lives, as large numbers of Americans moved from the country to the cities and emigration there swelled populations. Whilst the federal and state governments made important policy judgments at national and state level, city and town governments dealt with matters closely relevant to lives of local people, such as delivery of services, creating local laws and regulations dealing with the minutiae of life, as well as promoting the development of modern infrastructures.

For much of the century, many American cities and towns were under the control of a local political party machine. First phase political party machines, headed by the likes of Tweed, Durham and Ames, provided a way for their leaders to make huge amounts of money at the expense of the local taxpayer. These machines offered a limited form of welfare for the poor but aid was sporadic and had miniscule impact.

Second phase machines learned from the errors of the past. In the 1930s, when federal welfare was, at best, in its infancy and state government and charities were starved of funds, these machines, acting as the municipal executive, raised the revenues for essential services for its citizens, such as fire protection and sewage. Crucially as important, they helped to provide food, housing, medical care and jobs for those who needed them.

Historically, local government was at times a battleground despite or because of the predominance of political party machines during much of the period between the 1860s and 1960s. The first phase machines lost out to Progressive reformers because machine bosses were too corruptly greedy. The middle class American public, adopting and using Progressive reforms, voted many first phase machines out of office, theoretically returning local government to the people. Second phase machines seized back power, as Progressivism reforms ran out of steam at the end of the First World War, from lack of public interest and as President Warren Harding (1921-23) proclaimed 'a return to normalcy.' The new-style machine bosses, like Pendergast and Hague, were both politicians and businessmen, who not only understood how to seize control and manipulate the levers of political power but were in touch and provided their constituents with what they wanted and needed in material terms. Also, they were pragmatists, unconcerned with policy-making and who concentrated their efforts on winning and retaining power.

The Pendergast case study, on which this thesis is based, should be considered as a template for other successful second phase machines because of its monopolistic control of the three estates of municipal power, and its longevity, apparently retaining voter approval throughout. On the credit side, Pendergast, as well as other second phase machine leaders, changed machine *modus operandi*, apparently lessening the

overt and extreme greed of machine leaders in order to better benefit the poor and unemployed, thereby securing votes. On the debit side, the machine's corrupt activities increased over time, eventually obscuring the beneficial effect of its rule. Sustaining power is, perhaps, always problematic in the face of material temptations from within and challenges from without. Accordingly, until the 1980s, political party machines received attention from the academic community but, of late, the study has waned. The Introduction, page 14, offers reasons for the apparent lack of interest by academics.

The new perspective of the second phase machines as monopoly businesses, as well as political models, foregrounds the business side of their affairs, while ensuring the political side was promoted effectively at relevant times during the two-year election cycle. The business element of many second phase machines warrants further academic consideration. Although there is no convenient business model into which second phase machines fit, the evidence shows that the Pendergast machine utilised its business revenues, as well as its ability to borrow, to fund the four month period for local and county elections and a further four months for state and national elections. In the two-year election cycle, the machine concentrated on the local and county election process to ensure victory by placing its slate candidates in the Council chamber and in the municipal and county law courts. In addition, the machine held an iron grip on the executive, City Hall, controlling allocation of jobs and matters requiring executive decisions. Victory in the state and national elections was a demonstration of the machine's raw power and its ability to produce results for the Party. For the remainder of the two-year cycle, business profit was paramount for the machine, with politics playing second fiddle.

Machine profits were delivered in several ways. The machine acted as a monopoly broker between the legitimate business community and City Hall, procuring the provision of requisite licences, permits and franchises. If a businessman sought to avoid paying the brokerage fee by applying to City Hall direct, no licence or permit would be forthcoming. The machine also directed the placing of city contracts. In Kansas City, after 1925, a machine member, Henry McElroy, was appointed as city manager, thus enhancing the machine's monopoly position. Taking the evidence of Harry Truman alone, it is clear that many city contracts were placed with Pendergast companies without any regard for conflict of interest or competition.

In addition, the machine was allied with organized crime, where profits were at large, namely incapable of accurate forecast but which were shared between the two organizations. Blind eyes were turned by officialdom to illegal gambling and prostitution, as the Kansas City Police Department, under successive machine Chiefs of Police, failed to enforce local regulations to close down saloons and casinos. The Hague machine conducted business in a similar fashion to Pendergast, with the exception that Hague did not own a myriad of companies that contracted with the city. Instead, he engaged in insider dealing, buying local agricultural land, soon to be developed by or with consent of the city, and selling it at vastly inflated prices, thereby deriving huge profits personally.

This thesis also argues that, unlike first phase machines, the machines of the 1920s and 30s filled a social need by providing substantial welfare for the poor and unemployed of their cities and towns. The case study adduces much evidence of the machine's generosity towards the poor. If there was any suggestion that the Kansas City machine paid mere lip service to the unemployed, the staggering employment statistics set out in Chapter 5, page 135, must eliminate any such doubt. In an era

when as many as 25% of the American labour force could not find work, less than 3% of Kansas Citians were without a job. True to character, Pendergast used the position to his advantage by managing the New Deal programmes locally, no doubt profiting greatly. Had Pendergast been questioned about his involvement in the programmes without accompanying political office, he would have likely dismissed any criticism by observing that ends justify means.

What is missing from the thesis, despite continued efforts to trace it, is detailed evidence of the financial records of Pendergast's companies and the Kansas City machine. The amounts of money passing through Pendergast's hands, lawfully or unlawfully, must therefore be the subject of speculation. What is known is that Pendergast was caught evading federal income tax on \$440,000 of a brokerage fee, paid to him personally in cash. Had he received the full amount of his fee, the sum involved would have been \$750,000, a truly substantial figure even nowadays. Taking into account the city auditor's allegations that McElroy 'misplaced' \$20 million of city funds over a fourteen year period and Truman's observation that in one instance he saved the city 75% of a \$7million road building contract, clearly funds available to Pendergast and the machine were enormous.

What is also missing, despite efforts to trace records, is details of the disbursement of such funds. There is no detailed study of Pendergast's local management of the New Deal programmes, nor a record of the manner in which Pendergast and the machine managed their welfare programmes. For example, it would be interesting to discover if the machine exacted an agency fee on the wages of those employed through the federal programmes of the New Deal. Both the evidence of financial receipts and disbursements, added to a forensic examination of the Pendergast businesses, would be invaluable in establishing how so many Kansas

Citians survived the difficult economic times of the late 1920s and 1930s. Lack of record keeping suggests personal ‘bossism’ and a canniness by Pendergast to have no damaging evidence in writing. By extension, if a study of America’s unemployment in the 1930s disclosed a pattern of high employment in other cities where a successful machine operated and that the cause was as much locally engendered as from federal New Deal programmes, second phase bosses would be regarded in a different light, not necessarily of the Robin Hood kind but as clever businessmen/politicians operating the handles of municipal power to achieve worthwhile business and social ends.

The thesis next argues that political ideology played little or no part in the affairs of the machine. Such a paradigm fits neatly into an organization headed by conservative businessmen, resistant to change. James Scott’s view of a machine as a “non-ideological organization, interested less in political principle than in holding office” is surely accurate.⁴⁵⁹ Pendergast and Hague were examples of the maxim which asks rhetorically, why change a winning strategy? The lack of discussion in the local press relating to political policy for the Kansas City municipality is evidence to indicate that the electorate were content with the leadership status quo, even one inherently corrupt. However, machines were highly political entities, as their members manouvered for advantage. The telling comments of Thomas Fleming about the Hague machine illustrate this point.⁴⁶⁰

Finally, the thesis argues that the role of the local press in criticising the machine and exposing its worst excesses was limited, partly because of business considerations at the highest levels of each organization and partly that the times were not consistent with the type of investigative journalism or ‘muckraking’ that had been

⁴⁵⁹ See Introduction, page 12.

⁴⁶⁰ See Chapter 4, page 112.

prevalent at the turn of the twentieth century. The former argument is speculation. There is no written evidence of any such business connections in the 1930s, although there is proof of a relationship between Pendergast and *The Star's* proprietor, Jesse Nichols, in the promotion of a Kansas City real estate development twenty years earlier. As leaders of Kansas City, it is hard to believe that the relationship between them would have ended then as it was not in the interests of either to have done so. Equally interesting is the point that in the 1920s and 30s, newspapers were not crusaders who sought to protect the ordinary citizen against corrupt government. Muckraking traditions had not been part of mainstream journalism, even when McClure's was in its pomp, and they had all but disappeared by the 1920s.

Assessing the role of the Kansas City press is problematic. It would be harsh to pan local editors who were not prepared to face down Pendergast and his followers. In all cases bar one, the fight would have been unequal as the mighty machine would have swallowed up the small local newspaper. Not only could Pendergast have influenced advertisers to withdraw their support, thereby damaging a small title financially and probably beyond the point of remaining in business, but also henchmen like Lazia could have threatened and perpetrated personal violence, as well as vandalism of the newspaper's building and fixtures, in the knowledge that the Kansas City Police Department would do little or nothing. Hence it is little wonder that none of the small titles cited in this thesis mounted any kind of challenge to Pendergast's power and that criticisms of the machine contained in *The Examiner* rarely, if at all, condemned a machine member by name.

The role of *The Star* cannot be treated in the same way. *The Star* was the dominant newspaper for Kansas City with a national reputation. Its editors and journalists could view, first hand, the excesses of the machine. Yet until 1938, the

newspaper limited itself almost entirely to seeking election reform. It rarely singled out Pendergast for his excesses, it did not investigate his business holdings and it failed to spot the apparent lacunae in the fire insurance scandal case. Whilst the traditions of muckraking journalism were in abeyance, the gross corruption of the Pendergast machine was obvious for all to see by the mid 1930s, if not earlier. Perhaps *The Star's* reluctance to publicize corruption stems from the fact that it and the machine were evenly balanced and a fight would have resulted in a win for neither party. Possibly, an implicit bargain may have been struck by proprietors and Pendergast to leave each other alone, save only for *The Star's* demands for electoral reform, which Pendergast knew would be resisted in the state Congress.

There is a popularly held misconception that political party machines started to fade out with the advent of the New Deal. This is wrong. It was not until the Great Society years of Lyndon Johnson (1963-1969), when federal welfare programmes took over much of the machines' work, as immigration numbers fell, and as American generally sought a different type of local government more responsive to democratic values in affluent economic times, that second phase machines began to leave the political scene. Yet machine rule is still in place. Whilst Mayor Richard Daley's 1960s Chicago machine fell into disrepute in July, 1968, Chicago today is headed by the former mayor's grandson, another Richard Daley. His third phase Democratic machine bears little resemblance to that of his grandfather's. The absence of corrupt practices prompted by greed is the essential difference.⁴⁶¹

The majority of the Kansas City electorate of the 1920s and 1930s entitled to the franchise cast their votes consistently for the Pendergast machine. Not all voters can have been intimidated. It follows that there was a level of satisfaction with

⁴⁶¹ The Daley machine has not been implicated in the scandal involving Governor Blagejovic.

machine government. The collective vote for the Pendergast machine slate was a pragmatic response by the electorate and an indication of approval of both the services provided to voters and the way their city was run. The machine delivered its part of the bargain to the voters. Not only did it provide welfare, it also provided services to the middle classes on terms they could afford. The lack of criticism or reportage in the local press about the quality and delivery of services is possible evidence that little or nothing was perceived to be amiss.

The core elements of machine rule, namely pragmatism instead of political ideology, centralization of power, manipulation of incentives, strong leadership, providing services for the middle classes on terms that were acceptable, help for the poor and unemployed without red tape, and clever use of patronage, were all political weapons in a boss's armoury. The core elements were underpinned by the operation of a machine as a business monopoly. Indeed, this was the sine-qua-non of successful political party machines of the 1920s and 1930s. The skill and business competence of a successful boss should not be underestimated. Not only was the business operation itself complex but also the boss was required to manipulate the many competing interests within machine personnel, jockeying for personal power and advancement. The successful machine utilised practices which were often illegal. This was particularly prevalent in the conduct of elections, as competition was eliminated. Losing an election would mean both loss of power and the means to ensure business profit. Therefore, elections could not be left to chance. However, the Kansas City machine had no real need to engage in electoral fraud when, likely, it would have won the local elections by legitimate means. Monopoly control extended to manipulation of elections as well as business, arguably to the ultimate detriment of Kansas City.

It was a logical step from corrupting the election process to allowing corruption into the daily conduct of machine business. The progression to alliances with organized crime was unsurprising. The pragmatic machine boss would make his calculations and decide on the overriding rule, namely the extent to which a corrupt practice was good for business. After years of machine occupation and control of City Hall, the dictum of Lord Acton concerning absolute power corrupting absolutely rings true. However, over time, even absolute power is unable to retain its stranglehold against competing bids, weakness from within, the cyclical rise and fall of business empires and changing times and circumstances which conflict with a conservative mindset that only wants to perpetuate the status quo. Machines were bound to fail when they became too complacent and overtly greedy and, therefore, unresponsive to the voter, or when they simply did not work anymore, even if the press failed to criticise them.

It is problematic to reach a judgment on the Kansas City machine of the 1920s and 1930s. In simplistic terms, it can be argued that, generally, it was thoroughly corrupt, practised violence and intimidation to achieve its ends, it was willing to engage and become partners with organized crime and to damage the democratic process and the system of local government through massive voting frauds, mostly for the leaders' personal gain. On the other hand, the machine cared for the poor, needy and unemployed in Kansas City at a time when government at state and federal levels failed to do so, it kept most of the city streets crime-free, and during the Great Depression it provided jobs for many people, assisting local economies. People in need were not judged. Instead, they were helped and what was asked in return was their vote. At grass-roots level, this trade-off remains a perfectly acceptable political approach.

There is a further view, namely that machines like those of Pendergast were both corrupt and a force for good. The explanation of this apparent contradiction is that machine culture was pragmatic, with a priority to get the job done. Helping the poor and finding jobs for the unemployed was good for business as it ensured votes. If a task could be enacted legitimately, all well and good but if it was necessary to act unlawfully to achieve desired ends, this was justifiable protection of machine business. Probably, in the early stages of machine rule, some machine members would have had concerns about their illegal actions but once an established course of dealing is set, immorality becomes the default position.

After years of condoning and supporting suspect and illegal practices, it is quite likely that a man like Pendergast would not have realised the full extent of his wrongdoing. No one challenged him politically for leadership of the local Democrats except Joe Shannon and some minor players in 1932 and 1934. Pendergast was the outright victor on each occasion. The local press rarely criticised Pendergast personally and its attacks on his machine related principally to corrupt elections. Despite the federal prosecutions against the machine for election fraud starting in 1937, Pendergast must have felt he was invincible. Possibly the reason why he caved in so quickly and pleaded guilty in 1939 to charges of federal tax evasion was shock that he was no longer privileged and above the laws applicable to others. Alternatively, he may have reached a personal tipping point where, at 70 years of age, he no longer had the energy or drive to continue the fight. In 1936, he had passed day to day responsibility for the machine to his nephew, as he had been unwell for several years.

Here lay Pendergast's Achilles heel. His nephew made a good second-in-command but he was no leader. The manner in which Pendergast ruled Kansas City

ensured longevity whilst he remained at the head. His succession plan failed. The same could be said of Frank Hague. The very personal or ‘family’ nature of the second phase machine model, with strong leadership at the helm over a lengthy period, ensured a vacuum when that leader retired, leading to a fight for leadership within the machine. Often, the contest weakened the machine’s power unless another strong leader emerged, as was the case with late 1930s Chicago.

Contemporary views of the benefit and burden of machine government will be subjective, depending on the extent to which machines helped or harmed an individual. Judging with hindsight is always difficult, as it attempts to reach conclusions about different attitudes and times in which the events occurred, coloured by succeeding events. One’s judgment will depend on whether pragmatism is regarded as more important than ethics and whether satisfying practical needs of the working man and his family in the short term is seen as more important than defending the long term interests of a democratic and ethically run local government. If a second phase machine did not control all local levers of power, it is questionable that it would have been able to accomplish the socially beneficial elements of its business, for example because it would not have had adequate patronage power and influence to provide jobs. However, without such power, it is equally doubtful that the excessive corruption would have continued for so long.

As for Pendergast, reaction to him runs a gamut from admiration for a politician who helped a great many people in his community to shock and disgust that a boss was allowed to preside over a thoroughly corrupt administration for so long. No doubt Pendergast would defend his legacy. When prompted by the press or critics, he would say: “Look at our streets and our parks and our public buildings and

everything! This is a metropolis – one of the greatest in the world.”⁴⁶² He would not have given a second thought about the excess price paid by the Kansas City public for the works, nor for the loss in reputation of the city. For him, ends justified means, including his self-aggrandizements. He would have held the belief that without him and the protection offered by his machine to the needy, life for many in Kansas City, especially in the Great Depression years, would have been immeasurably worse. If his remark is taken at face value, it would seem to represent a proud boast of achievement. However, machine colleagues and knowledgeable persons within the Kansas City public would know that the machine and Pendergast personally had benefited financially from the works, and that this, not legacy, was the overriding motive. His long rule had caused him to forget that the purpose of public office was to serve in City Hall, not to control it.

⁴⁶² Milligan, *op cit*, p. 105.

Bibliography.

Books.

Political Philosophy, Good Government and City Politics.

Allswang, John M. *"Bosses, Machines and Urban Voters: An American Symbiosis."* (Port Washington, N.Y. 1977. Kennikat Press).

Baker, John Henry. *Urban Politics in America.* (New York. 1971. Charles Scribner & Sons.)

Banfield, Edward C. and Wilson, James Q. *City Politics.* (Cambridge, Massachusetts. 1967. Harvard University Press.)

Banfield, Edward C. *A New Theory of Urban Politics.* (New York. 1961. The Free Press.)

Banfield, Edward C. *Political Influence.* (New York. 1961. The Free Press.)

Bent, Edward, (ed.) *Urban America, Management and Politics.* (Port Washington, New York. 1976. Kennicat Press.)

Berry, Jeffrey M, Portney, Kent E, and Thomson, Ken. *The Rebirth of Democracy.* (Washington, DC. 1993. The Brookings Institution.)

Bridges, Thomas. *The Culture of Citizenship: Inventing Postmodern Civic Culture.* (Albany. 1994. State University New York Press.)

Buenker, John D. *"Urban Liberalism and Progressive Reform.* (New York. 1978. W. W. Norton.)

Castles, F. G. (ed.) "The Comparative History of Public Policy". (Cambridge. 1989. Polity Press.)

Chamberlain, John. *Farewell to Reform.* (New York. 1933. Liveright.)

Chambers, John Whiteclay II. *The Tyranny of Change. America in the Progressive Era.1890-1922. Second Edition.* (New Brunswick, New Jersey. 1992. Rutgers University Press.)

Crisp, Roger, (ed.) *Aristotle, Nicomachean Ethics.* (Cambridge. 2000. Cambridge University Press.)

Cruikshank, Barbara. *The Will to Empower: Democratic Citizens and Other Subjects.* (Ithaca. 1999. Cornell University Press.)

Dalton, Russell. *Citizen Politics: Public Opinion and Political Parties in Advanced Industrial Democracies. 3rd Edition.* (New York. 2002. Chatham House Publishers.)

Ebner, Michael H. and Tobin, Eugene M. *"The Age of Urban Reform: New Perspectives on the Progressive Era."* (Port Washington, N. Y. 1977. Kennikat Press.)

Ekirch, Arthur A. Jr. *Progressivism in America. A Study of the Era from Theodore Roosevelt to Woodrow Wilson.* (New York. 1974. New Viewpoints.)

Faulkner, Harold U. *The Quest for Social Justice, 1898-1914.* (New York. 1931. Macmillan.)

Fox, Kenneth. *"Better City Government: Innovation in Urban Politics, 1850-1937."* (Philadelphia. 1977. Temple University Press.)

Friedman, Marilyn (ed.) *Care as the Work of Citizens.* (Oxford. 2005. Oxford University Press.)

Gosnell, Harold F. *Machine Politics: Chicago Model. 2nd Edition.* (Chicago 1968. University of Chicago Press.)

Hayduk, Ronald and Mattson, Kevin, eds. *Democracy's Movement. Reforming the American Political System for the 21st Century.* (Lanham, Maryland. 2002. Rowman & Littlefield Publishers Inc.)

Held, David. *Models of Democracy, 2nd Edition.* (Stanford. 1996. Stanford University Press.)

Hicks, John D. *The Populist Revolt: A History of the Farmers' Alliance and the People's Party.* (Minneapolis. 1931. University of Minnesota Press.)

Hofstadter, Richard. *The American Political Tradition and the Men Who Made It.* (New York. 1948. A. A. Knopf.)

Hofstadter, Richard, (ed.) *The Progressive Movement, 1900-1915.* (Englewood Cliffs. 1963. Prentice-Hall.)

Hofstadter, Richard. *The Age of Reform. From Bryan to FDR.* (London. 1968. Jonathan Cape.)

Holli, Melvin G. *"Reform in Detroit. Hazen S. Pingree and Urban Politics."* New York. 1969. Oxford University Press.)

Katznelson, Ira. *City Trenches. Urban Politics and the Patterning of Class in the United States.* (Chicago. 1981. The University of Chicago Press.)

Kleinberg, S. J. *The Shadow of the Mills: Working Class Families in Pittsburgh, 1870-1907.* (Pittsburgh. 1989. University of Pittsburgh Press.)

Kolko, Gabriel. *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916.* (New York. 1963. The Free Press.)

Kornbluh, Mark Lawrence. *Why America Stopped Voting. The Decline of Participatory Democracy and the Emergence of the Modern American Politics.* (New York. 2000. New York University Press.)

Kramnick, Isaac, (ed.) *The Federalist Papers.* (London. 1987. Penguin Books.)

Link, Arthur S. and Catton, William B. *American Epoch. A History of the United States Since 1900. Volume 1. An Era of Economic Change, Reform and World Wars, 1900-1945. Fifth Edition.* (New York. 1980. Alfred A. Knopf.)

Madgwick, P. J. *American City Politics.* (London. 1970. Routledge and Kegan Paul.)

McGeer, Michael E. *The Decline of Popular Politics. The American North, 1865-1928.* (Oxford. 2001. Oxford University Press.)

Mill, John Stuart. *Three Essays: On Liberty, Representative Government and The Subjection of Women.* (Oxford. 1975. Oxford University Press.)

Mill, John Stuart. *Considerations on Representative Government.* (London. 1861. Parker, Son & Bourn.)

Merriner, James L. *Grafters and Goo Goos: Corruption and Reform in Chicago, 1833-2003.* (Chicago. 2008. Southern Illinois University Press.)

Monkkonen, Erik H. *America Becomes Urban: The Development of U S Cities and Towns, 1780-1980.* (Berkeley, California. 1990. University of California Press.)

Mowry, George. *The California Progressives.* (Berkeley. 1951. University of California Press.)

Nylen, William R. *Participatory Democracy Versus Elite Democracy: Lessons from Brazil.* (New York. 2003. Palgrave Macmillan.)

O'Neill, William L. *"The Progressive Years. America Comes of Age."* (New York. 1975. Dodd, Mead & Company.)

Penniman, Howard R. *Sait's American Parties and Elections. Fifth Edition.* (New York. 1952. Appleton-Century-Crofts Inc.)

Putnam, Robert D. *Bowling Alone. The Collapse and Revival of American Community.* (New York. 2000. Simon & Schuster.)

Robertson, David, (ed.) *The Penguin Dictionary of Politics, Second Edition.* (London. 1993. Penguin Books.)

Rosen, Michael & Wolff, Jonathan, (eds.) *Political Thought.* (Oxford. 1999. Oxford University Press.)

Ruchelman, Leonard. *Big City Mayors: The Crisis in Urban Politics.* (Bloomington, Indiana. 1969. Indiana University Press.)

Schiesl, Martin. *The Politics of Efficiency. Municipal Administration and Reform in America, 1800-1920*. (Berkeley, California. 1977. University of California Press.)

Seligman, Adam B. *The Ideal of Civil Society*. (Princeton. 1995. Princeton University Press.)

Steffens, Joseph Lincoln. *The Struggle for Self-Government*. (New York. 1968. Johnson Reprint Corporation.)

Stone, Harold A, Price, Don K, and Stone, Kathryn H. "*City Manager Government in The United States*." (Chicago. 1940. Public Administration Service.)

Teaford, John. *The Municipal Revolution in America: Origins of Modern Urban Government, 1650-1825*. (Chicago. 1975. The University of Chicago Press.)

Wiebe, Robert H. *The Search for Order, 1877-1920*. (Westport, Connecticut. 1967. Greenwood Press.)

Yates, Douglas. *The Ungovernable City. The Politics of Urban Problems and Policy Making*. (Cambridge, Massachusetts. 1978. MIT Press.)

Bossism, Party Machines and Bosses.

Anderson, William. *The Wild Man from Sugar Creek: The Political Career of Eugene Talmage*. (Baton Rouge. 1975. Louisiana State University Press.)

Bailey, Harry, (ed.) *Ethnic Group Politics*. E. E. Cornwell. "Bosses, Machines and Ethnic Politics." (Columbus, Ohio. 1969. Merrill.)

Bolin, James Duane. *Bossism and Reform in a Southern City: Lexington, Kentucky, 1880-1940*. (Lexington. 2000. University Press of Kentucky.)

Connors, Richard J. *A Cycle of Power. The Career of Jersey City Mayor Frank Hague*. (Metuchen, New Jersey. 1971. The Scarecrow Press Inc.)

Cook, Fred J. *American Political Bosses and Machines*. (New York. 1973. Franklin Watts Inc.)

Daniels, Jonathan. *The Man of Independence*. (London. 1951. Victor Gollancz.)

Dash, Mike. *Satan's Circus: Murder, Vice, Police Corruption and New York's Trial of the Century*. (London. 2008. Granta Books.)

Dorsett, L. W. *The Pendergast Machine*. (Lincoln, Nebraska. 1980. University of Nebraska Press.)

Dunar, Andrew J. *The Truman Scandals and the Politics of Morality*. (Columbia, Missouri. 1984. University of Missouri Press).

English, T. T. *Paddy Whacked. The Untold Story of the Irish American Gangster*. (New York. 2005. Regan Books.)

Ferrell, Robert H. *Truman and Pendergast*. (Columbia and London. 1999. University of Missouri Press.)

Ferrell, Robert H. (ed.) *Off The Record. The Private Papers of Harry S. Truman*. (New York. 1980. Harper & Row.)

Granger, Bill and Lori. *Lords of the Last Machine. The Story of Politics in Chicago*. (New York. 1987. Random House.)

Hair, William Ivy. *The Kingfish and His Realm. The Life and Times of Huey P. Long*. (Baton Rouge. 1991. Louisiana State University Press.)

Hamby, Alonzo L. *Man of the People. A Life of Harry S. Truman*. (Oxford. 1995 Oxford University Press.)

Handlin, Oscar. *The Uprooted: The Epic Story of the Great Migrations that Made the American People*. (Boston. 1951. Little, Brown & Company.)

Hartman, Rudolph H. *The Kansas City Investigation: Pendergast's Downfall 1938-1939*. (Columbia, Missouri and London. 1999. University of Missouri Press.)

Haskell, Harry. *Boss-Busters and Sin Hounds. Kansas City and Its Star* (Missouri. 2007. University of Missouri Press.)

Jenkins, Roy. *Truman*. (London. 1986. Collins.)

Kane, Harriet T. *Louisiana Hayride: The American Rehearsal of Dictatorship, 1928-1940*. (New York. 1941. William Morrow.)

Kirkendall, Richard S. *A History of Missouri. Volume V. 1919-1953*. (Columbia, Missouri. 1986. University of Missouri Press.)

Larsen, Lawrence H. and Hulston, Nancy J. *Pendergast*. (Columbia, Missouri. 1997. University of Missouri Press.)

Long, Huey. *Every Man a King but No Man Wears a Crown*. (Chicago. 1964. Quadrangle Books.)

Lorenzen, Jan Lelain. *Kansas City, Missouri, Newspapers of 1932 and the Pendergast Political Machine*. (Kansas City. 2003. University of Missouri Press.)

Mayerberg, Samuel S. *Chronicles of an American Crusader*. (New York. 1944. Bloch Publishing Co.)

- McCullough, David. *Truman*. (New York. 1992. Simon & Schuster.)
- McKean, Dayton D. *Pressures on the Legislature of New Jersey*. (New York. 1938. Columbia University Press.)
- McKean, Dayton D. *The Boss: The Hague Machine in Action*. (New York. 1967. Russell & Russell.)
- Menard, Orville D. *Political Bossism in Mid-America*. (London. 1989. University Press of America.)
- van Meter, Jonathan. *The Last Good Time. Skinny D'Amato, The Notorious 500 Club, The Ratpack & The Rise and Fall of Atlantic City*. (London. 2004. Bloomsbury Publishing.)
- Miller, Zane L. *Boss Cox's Cincinnati. Urban Politics in the Progressive Era*. (New York. 1968. Oxford University Press.)
- Milligan, Maurice. *Missouri Waltz*. (New York. 1948. Charles Schreibner's Sons)
- Reddig, William W. *Tom's Town. Kansas City and the Pendergast Legend*. (Philadelphia, 1947. J. B. Lippincott Company.)
- Sindler, Allan P. *Huey Long's Louisiana. State Politics, 1920-1952*. (Baltimore. 1956. The John Hopkins Press.)
- Solomon, Noel. *When Leaders Were Bosses: An Inside Look At Political Machines and Politics*. (Hicksville, New York. 1975. Exposition Press.)
- Spelling, Thomas Carl. *Bossism and Monopoly*. (London. 1906. T. Fisher Unwin.)
- Stave, Bruce M. (ed.) *Urban Bosses, Machines and Progressive Reformers*. (Lexington, Massachusetts. 1972. D. C. Heath and Company.)
- Steinberg, Alfred. *The Bosses*. (New York. 1972. Macmillan.)
- Tucker, David M. *Memphis Since Crump. Bossism, Blacks and Civic Reformers, 1948-1968*. (Knoxville. 1980. University of Tennessee Press.)
- Truman, Harry S. *Memoirs. Volume One. Year of Decisions*. (Garden City, New York. 1955. Doubleday.)
- Truman, Harry S. *Mr Citizen*. (London. 1961. Hutchison.)
- Walch, Timothy, (ed.) *Immigrant America*. New York. 1994. Gardward.)
- Zink, Harold. *City Bosses in the U. S.* (Durham, NC. 1930. Duke University Press.)

Corruption in Government.

Anechiarico, Frank and Jacobs, James. *Pursuit of Absolute Integrity. How Corruption Control Makes Government Ineffective.* (Chicago. 1996. University of Chicago Press.)

Benson, George C. S. *Political Corruption in America.* (Lexington, Mass: 1978 D. C. Heath & Co.)

Doig, Alan. *Corruption and Misconduct in Contemporary British Politics.* (New York. 1984. Penguin Books.)

Drew, Elizabeth. *Politics and Money: The New Road to Corruption.* (New York. 1983. Collier Books.)

Drew, Elizabeth. *The Corruption of American Politics: What Went Wrong and Why.* (New York. 2000. The Overlook Press.)

Etzioni, Amitai. *Capital Corruption: The New Attack on American Democracy.* (New Brunswick, New Jersey. 1988. Transaction Books.)

Ferling, John. *Adams v Jefferson: The Tumultuous Election of 1800.* (Oxford. 2004. Oxford University Press.)

Gardiner, John A. *The Politics of Corruption. Organized Crime in an American City.* (New York. 1970. Russell Sage Foundation.)

Gardiner, John A. and Olson, David J., (eds.) *Theft of the City. Readings on Corruption in Urban America.* (Bloomington. 1974. Indiana University Press.)

Goodman, Walter. *All Honourable Men: Corruption and Compromise in American Life.* (Boston. 1963. Atlantic Monthly Press.)

Johnston, Michael. *Political Corruption and Public Policy in America.* (Monterey, California. 1982. Brooks/Cola Publishing Co.)

Key, V. O. *Politics, Parties and Pressure Groups.* (New York. 1964, Thomas Cromwell.)

Merton, Robert K. *Social Theory and Social Structure.* (New York. 1968. The Free Press.)

Noonan, John T. Jr. *Bribes.* (New York. 1984. Macmillan Publishing Company)

Norris, Pippa, ed. *Politics and the Press. The News Media and Their Influences.* (Boulder, Colorado. 1997 Lynne Reiner Publishers.)

Payne, Robert. *The Corrupt Society.* (New York. 1975. Praeger.)

Phillips, Kevin P. *Wealth and Democracy: A Political History of the American Rich*. (New York. 2002. Broadway Books.)

Phillips, Kevin P. *Arrogant Capital: Washington, Wall Street, and the Frustration of American Politics*. (Boston. 1995. Little Brown & Co.)

Rose-Ackerman, Susan. *Corruption: A Study in Political Economy*. (New York. 1978. Academic Press.)

Steffens, Lincoln. *The Shame of the Cities*. (New York. 1904. Phillips.)

Steffens, Lincoln. *The Autobiography of Lincoln Steffens*. (New York. 1931. Harcourt Brace & Co.)

de Tocqueville, Alexis. *Democracy in America. Volume II. The Henry Reeve Text As Revised By Francis Bowen, Now Further Corrected and Edited with a Historical Essay, Editorial Notes and Bibliographies by Phillips Bradley*. (New York. 1945. Vintage Books.)

Wolfinger, Raymond. *The Politics of Progress*. (Englewood Cliffs. 1974. Prentice-Hall.)

Journalism

Bauman, John F. and Coode, Thomas H. *In The Eye of the Great Depression. New Deal Reporters and the Agony of the American People*. (De Kalb, Illinois. 1988. Northern Illinois University Press.)

Brendon, Piers. *The Life and Death of the Press Barons*. (London. 1982. Secker & Warburg.)

Canons of Journalism. (The Chicago Times. May 7 to July 2, 1939.)

Cohen, Elliott D. and Elliott, Demi, (eds.) *Contemporary Ethical Issues: Journalism Ethics. A Reference Handbook*. (Santa Barbara, California. 1997. ABC-CLIO.)

Crawford, Nelson Antrim. *The Ethics of Journalism*. (New York. 1924. Alfred. S. Knopf.)

Dooley, Patricia L. *Taking Their Political Place: Journalists and the Making of an Occupation*. (Westport, Connecticut. 2000. Praeger.)

Downie, Leonard Jr. *The New Muckrakers*. (Washington DC. 1976. The New Republic Book Company Inc.)

Emery, Edwin. *The Press and America*. (Englewood Cliffs, New Jersey. 1962. Prentice-Hall, Inc.)

Flint, Leon Nelson. *The Conscience of the Newspaper*. (New York. 1925. D. Appleton and Company.)

Greenwald, Marilyn and Bernt, Joseph, (eds.) *The Big Chill: Investigative Reporting in the Current Media Environment*. (Ames, Iowa. 2000. Iowa State University Press.)

Kaniss, Phyllis. *Making Local News*. (Chicago and London. 1991. The University of Chicago Press.)

Lacey, Colin and Longman, David. *The Press as Public Educator. Cultures of Understanding, Cultures of Ignorance*. (Luton, Beds. 1997. John Libbey Media.)

Lilly, William Samuel. *On Right and Wrong*. (London. 1890. Chapman and Hall.)

Lippman, Walter. *Public Opinion*. (London. 1965. The Free Press.)

Lorenzein, Jan Lelain. *Kansas City, Missouri, Newspapers of 1932 and the Pendergast Political Machine*. (University of Missouri-Kansas City, 2003.)

Mitford, Jessica. *The Making of a Muckraker*. (London. 1979. Michael Joseph.)

Potter, David M. *People of Plenty. Economic Abundance and the American Character*. (Chicago. 1954. The University of Chicago Press.)

Rudin, Richard and Ibbotson, Trevor. *An Introduction to Journalism: Essential Techniques and Background Knowledge*. (Amsterdam. 2002. Focal Press.)

Sanders, Karen. *Ethics and Journalism*. (London. 2003. Sage Publications.)

Schudson, Michael. *The Power of News*. (Cambridge, Massachusetts. 1995. Harvard University Press.)

Skelcher, Chris. *The Appointed State: Quasi-governmental Organizations and Democracy*. (Buckingham. 1998. Open University Press.)

Smith, Anthony. *The Newspaper: An International History*. (London. 1979. Thames & Hudson.)

Tolchin, Martin and Susan. *To the Victor...Political Patronage from the Clubhouse to the White House*. (New York. 1971. Random House.)

Business

Blackford, Mansel G. and Kerr, K. Austin. *Business Enterprise in American History, Third Edition*. (Boston. 1994. Houghton Mifflin Company.)

Chandler, Alfred D. *The Visible Hand: The Managerial Revolution in American Business*. (Cambridge, MA. 1977. Harvard University Press.)

Cochran, Thomas C. *Basic History of American Business*. (Princeton, New Jersey. 1959. D. van Nordstrand Company, Inc.)

Filler, Louis. *Appointment at Armageddon: Muckraking and Progressivism in the American Tradition*. (Westport, Connecticut. 1976. Greenwood Press.)

Josephson, Matthew. *The Robber Barons*. (San Diego. 1962. Harcourt Brace Jovanovich.)

Novak, William J. *The People's Welfare. Law and Regulation in Nineteenth-Century America*. (Chapel Hill, North Carolina. 1996. The University of North Carolina Press.)

Saint-Etienne, Christian. *The Great Depression, 1929-1933: Lessons for the 1980s*. (Stanford, California. 1984. Hoover Institution Press.)

Stiles, T. J. (ed.) *In Their Own Words: Robber Barons and Radicals*. (New York. 1997. The Berkley Publishing Group.)

Tucker, K. A. (ed.) *Business History: Selected Readings*. (London. 1977. Frank Cass & Co. Ltd.)

Wiebe, Robert H. *Businessmen and Reform: A Study of The Progressive Movement*. (Cambridge, Massachusetts. 1962. Harvard University Press.)

General

Annual Report of the City Comptroller of the City of St. Paul for the Fiscal Year Ending December 31, 1900.

Annual Reports of the Various City Officers of the City of Minneapolis, Minnesota, for the Year 1900. (Minneapolis. 1901. Harrison & Smith Co.)

Annual Report of the City Comptroller for the Fiscal Year 1910, Beginning April 18, 1910, and Ending April 17, 1911." Kansas City, Missouri. 1911. Cline Printing. Co.

Annual Report of the City Comptroller, Kansas City, Mo., for the Fiscal Year 1920, Beginning April 20, 1920 and Ending April 18, 1921. Kansas City, Missouri. 1921. Fratcher Printing Co.

Annual Report of the Director of Finance for the Fiscal Year 1930 (May 1st, 1930 to April 30th, 1931). A.L. Darby, Director of Finance, Kansas City, Missouri.

A Directory of the City of Minneapolis, 1869. (Minneapolis. 1869. Minneapolis Tribune Printing Co.), Tribune Directory of Minneapolis and St. Anthony, 1871-72. (Minneapolis. 1871. Minneapolis Tribune Printing Co.)

Blum, John M. and Others. *The National Experience. A History of the United States*. (New York. 1963. Harcourt, Brace and World, Inc.)

Proceedings of the Common Council of the City of St. Paul for the Year Ending April 12th 1870. (Saint Paul. 1870. Pioneer Book and Job Printing Company.)

Saunders, John B. (ed.) *Words and Phrases Legally Defined. Third Edition*. (Butterworths. 1988. London.)

“Semi-Annual Report of the City Comptroller for the First Five and Two-Fifths Months of the Fiscal Year, 1900, Ending September 30, 1900.” Kansas City, Missouri. 1901. Cline & Emerick, Printers.

“Semi-Annual Report of the City Comptroller for the Last Six and One-Half Months of the Fiscal Year, 1900, Ending April 15, 1901.” Kansas City, Missouri. 1901. Cline & Emerick, Printers.

Tindall, George Brown and Shi, David Emory. *America. A Narrative History. Volume II. Fifth Edition*. (New York. 1997. W. W. Norton & Company.)

Willrich, Michael. *City of Courts. Socializing Justice in Progressive Era Chicago*. (Cambridge. 2003. Cambridge University Press.)

Journal Articles:

Allen, Florence E. “Remedies Against Dishonest of Inefficient Public Servants.” *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), pp. 172-183.

Banfield, Edward C. “Corruption as a Feature of Governmental Organization”. *Journal of Law and Economics*, Vol. 18, No 3, Economic Analysis of Political Behaviour: Universities-National Bureau Conference Series Number 29. (Dec., 1975), pp. 587-605.

Brown, Sevellon. “Society of Newspaper Editors.” *The Public Opinion Quarterly*, Vol. 1, No. 4. (Oct., 1937), pp.114-120.

Chapman, Jenny. “The Political Versus the Personal: Participatory Democracy and Feminism.” *Strathclyde Papers on Government and Politics*. No 81. 1991.

Cheesborough, E. R. “Galveston’s Commission Plan of City Government.” *Annals of the American Academy of Political and Social Science*, Vol. 38, No. 3, Commission Government in American Cities. (Nov., 1911), pp. 221-230.

Colburn, David R. and Pozzeta, George E. “Bosses and Machines: Changing Interpretations in American History.” *The History Teacher*. Vol. 9, No. 3. (May, 1976), pp. 445-463.

Cooper, Walter G. "Objections to Commission Government." *Annals of the American Academy of Political and Social Science*, Vol. 38, No. 3, Commission Government in American Cities. (Nov., 1911), pp. 183-191.

Covert, Cathy. "A View of the Press in the Twenties." *Journalism History*, 1975: 2(3): 66-67, 92-6.

Dagger, Thomas G. "Political Patronage in Public Contracting." *The University of Chicago Law Review*, Vol. 51, No. 2. (Spring, 1984), 518-558.

"Discussion of the City Charter." *Proceedings of the Academy of Political Science in the City of New York*, Vol. 5, No. 3. The Government of the City of New York. (Apr., 1915), pp. 230-237.

Evans, Timothy K. "This Certainly Is Relief!": Matthew S. Murray and Missouri Politics During the Depression. *Missouri Historical Society Bulletin* 28. (July 1972). 219-233.

Finlayson, G.B.A.M. "The Politics of Municipal Reform, 1835." *The English Historical Review*, Vol. 81, No. 321. (Oct., 1966), pp. 673-692.

Fowler, Giles. "How Kansas City Papers Missed the Story." *Journalism History*. Northridge: Summer 1996. Vol. 22, pp. 64-73.

Gosnell, Harold F. "The Political Party versus the Political Machine." *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), 21-28.

Greenstein, Fred I. "The Changing Pattern of Urban Party Politics." *Annals of the American Academy of Political and Social Science*, Vol. 353, City Bosses and Political Machines, (May., 1964), 1-13.

Hays, Samuel P. "The Changing Political Structure of the City in Industrial America." *Journal of Urban History*, 1974: 1:6, 6-38.

Hermens, F. A. "Exit The Boss." *The Review of Politics*, Vol. 2, No. 4. (Oct., 1940), 385-404.

Holcombe, Randall G. and Lacombe, Donald J. "The Growth of Local Government in the United States from 1820 to 1870." *The Journal of Economic History*, Vol. 61, No. 1. (Mar, 2001), pp. 184-189.

Hyde, Grant M. "United States Journalism in 1931." *Journalism Quarterly*, Volume 8, December, 1931, Number 4, pp. 419-428.

Hughes, Helen MacGill. "Newspapers and the Moral World." *The Canadian Journal of Economics and Political Science*, Vol. 11, No. 8. (May, 1945), pp. 177-188.

Huthmacher, J. Joseph. "Urban Liberalism and the Age of Reform." *The Mississippi Valley Historical Review*, Vol. 49, No. 2 (Sep., 1962), pp.231-241.

James, Herman G. "The City Manager Plan, the Latest in American City Government." *The American Political Science Review*, Vol. 8, No. 4, (Nov., 1914), pp. 602-613.

Johnston, Michael. "Patrons and Clients, Jobs and Machines: A Case Study of the Uses of Patronage." *The American Political Science Review*. Vol. 73, No. 2. (Jun., 1979), 385-398.

Leys, Colin. "What is the Problem about Corruption?" *The Journal of Modern African Studies*, Vol. 3, No. 2. (Aug., 1965), 215-230.

Lilly, William Samuel. "The Ethics of Journalism." *Forum*, (1886-1930): Jul 1889; APS Online,

Lloyd-Jones, Chester. "Spoils and the Party". *Annals of the American Academy of Political and Social Science*, Vol. 64, Public Administration and Partisan Politics. (Mar., 1916), 66-76.

McAneny, George "The City Charter." *Proceedings of the Academy of Political Science in the City of New York*, Vol. 5, No. 3. The Government of the City of New York. (Apr., 1915), pp. 217-229.

McCune, H. L. "Municipal Government." *Annals of the American Academy of Political and Social Science*. Vol. 24. (Sep., 1904), pp. 111-127.

McKittrick, Eric L. "The Study of Corruption." *Political Science Quarterly*, Vol. 72, No. 4. (Dec., 1957), 502-514.

Munro, William B. "The Boss in Politics – Asset or Liability?" *Annals of the American Academy of Political and Social Science*, Vol. 169, The Crisis of Democracy. (Sep., 1933), 12-20.

Pegram, Thomas R. Review Essay: Who's The Boss? : Revisiting the History of American Urban Rule. *Journal of Urban History* September 2002. pp. 821-835

Peterson, Virgil W. "The Myth of the Wide-Open Town". *Journal of Criminal Law and Criminology*. (1931-1951)(2) 1948. pp. 288-297.

Pollock, James Kerr. "The Cost of the Patronage System." *Annals of the American Academy of Political and Social Science*, Vol. 189, (Jan., 1937), pp. 29-34.

Price, Don. K. "The Promotion of the City Manager Plan". *The Public Opinion Quarterly*, Vol. 5, No. 4, (Winter, 1941) pp. 563-578.

Rodgers, Daniel T. "In Search of Progressivism." *Reviews in American History*, Vol. 10, No. 4, The Promise of American History: Progress and Prospects (Dec., 1982), pp. 113-132.

Rowe, L. S. "The Relation of Municipal Government to American Democratic Ideals." *The American Journal of Sociology*, Vol. 11, No. 1. (Jul., 1905), pp. 75-84.

Ryan, Oswald. "The Commission Plan of City Government." *The American Political Science Review*, Vol. 5, No. 1, (Feb., 1911), pp. 38-56.

Scott, James C. "Corruption, Machine Politics, and Political Change." *The American Political Science Review*. Vol. 63, No. 4. (Dec., 1969). 1142-1158.

Shambaugh, Benjamin F. "The Des Moines Plan of City Government." *Proceedings of the American Political Science Association*, Vol. 4, Fourth Annual Meeting, (1907), pp. 189-192.

Stave, Bruce M. and Others. "A Reassessment of the Urban Political Boss: An Exchange of Views." *The History Teacher*, Vol. 21, No. 3. (May, 1988), 293-312.

Thelen, David P. "Urban Politics: Beyond Bosses and Reformers." *Reviews in American History*, Vol. 7, No. 3. (Sep., 1979) 406-412.

Wolfinger, Raymond. "Why Political Machines Have Not Withered Away and Other Revisionist Thoughts." *The Journal of Politics*, Vol. 34, No. 2. (May, 1972,) pp. 365-398.

Woodruff, Clinton Rogers. "The City-Manager Plan." *The American Journal of Sociology*, Vol. 38, No. 4, (Jan., 1923), pp. 599-613.

Yarros, Victor S. "Journalism, Ethics and Common Sense." *International Journal of Ethics*, Vol. 32, No. 4. (Jul., 1922), pp. 410-419.

Newspaper Articles and Editorials.

von Hoffman, Nicholas. "A Nation of Sweetie Pies". *Wall Street Journal (Eastern Edition)*. New York. February 18th, 2000.

Articles and editorials have been quoted from *The Guardian* (London), *The Observer* (London), *The New York Times* (New York), *The Kansas City Star*, *The Missouri Democrat*, *The Kansas City Call*, *The Kansas City American* (Kansas City, Missouri) and *The Independence Examiner* (Independence, Missouri).

Cartoons have been reproduced from *The St Louis Post-Despatch* (St. Louis, Missouri).

Films and Videos.

“All The King’s Men.” (Howard T. Reid, Director.)

“Daley. The Last Boss.” PBS. The American Experience Series, 1995. (Barak Goodman, Director.)

“Mr Smith Goes to Washington.” (Frank Capra, Director.)

“The Last Hurrah.” (John Ford, Director.)

PhD Dissertations:

Dorsett, Lyle W. “A History of the Pendergast Machine.” (1965. University of Missouri.)

Internet:

ASNE Statement of Principles. www.asne.org

Calvin Coolidge page. www.calvincoolidge.org/html/the_business_of_america_is_bus.html

Hall, Gail. “Yale-New Haven Teachers Institute Page.” *From Dusty to Digital Using Primary Sources*. www.yale.edu/ynhti/curriculum/units/1999/7/99.0.07.x.html

Missouri Valley Special Collections. Samuel S. Mayerberg Rabbi 1892-1964 Page. www.kchistory.org/cgi-bin/showfile.exe

New York Times Archives Pages. “The City Budget” and “The City Budget 1900” <http://query.nytimes.com>

The Prince of the City Page. www.nytimes.com/2005/07/10/books/chapters/0710-1st-siegel.html

Topping, Seymour. “Joseph Pulitzer and The Pulitzer Prizes. www.pulitzer.org/history

The FBI History Page. “Lawless Years, 1921-1944”. www.fbi/libref/history.

The People’s Chronology Page. www.enotes.com/peoples-chronology/year.

Santa Clara University Ethics Home Page. www.scu.edu/ethics

The Victorian Web Page. www.victorin.lang.nagoya-u.ac.jp.

The 1860 Census. www.census.gov/population/document/twps/0027.

The 1880 Census www.census.gov/prod/www/abs/decennial/1880.html

The 1900 Census. www.census.gov/prod/www/abs/decennial/1900.html.

Archives:

Franklin D. Roosevelt Library at Hyde Park, New York.

Western Historical Manuscripts Collection, a joint collection of the University of Missouri and the State Historical Society of Missouri, at The University of Missouri, Columbia, Missouri.

The Kansas City Public Library. Missouri Valley Special Collections.

The New York Public Library. Newspaper Archives.

The Annual Reports and Records of the Cities of Minneapolis and St Paul.

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